United Nations S/RES/2319 (2016)

Security Council

Distr.: General
17 November 2016

Resolution 2319 (2016)

Adopted by the Security Council at its 7815th meeting, on 17 November 2016

The Security Council,

Recalling its resolutions 2314 (2016), 2235 (2015), 2209 (2015) and 2118 (2013),

Noting that additional allegations of chemical weapons use in Syria are being investigated by the Fact-Finding Mission of the Organization for the Prohibition of Chemical Weapons (OPCW),

Condemning again in the strongest terms any use of any toxic chemicals as a weapon in the Syrian Arab Republic and *expressing alarm* that civilians continue to be killed and injured by toxic chemicals as weapons in the Syrian Arab Republic,

Reaffirming that the use of chemical weapons constitutes a serious violation of international law and *reiterating* that those individuals, entities, groups or governments responsible for any use of chemical weapons must be held accountable,

Reaffirming their grave concern that the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), and other individuals, groups, undertakings, and entities associated with ISIL (Da'esh) or Al-Qaida, including but not limited to foreign terrorist fighters who have joined ISIL (Da'esh) in Syria, groups that have pledged allegiance to ISIL (Da'esh), and Al-Nusra Front (ANF), continue operating in the Syrian Arab Republic,

Stressing the need for all Member States to fully comply with their obligations under resolution 2178 (2014),

Recalling that in resolution 2118 the Council underscored that no party in Syria should use, develop, produce, acquire, stockpile, retain or transfer chemical weapons and decided that member States shall inform immediately the Security Council of any violations of resolution 1540 including acquisitions by non-State actors of chemical weapons, their means of delivery and related materials in order to take necessary measures therefore,

1. *Decides* to renew the mandate of the Joint investigative Mechanism, as set out in resolution 2235, for a further period of one year from the date of adoption

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of this resolution, with a possibility of further extension and update by the Security Council if it deems necessary;

2. *Recalls* its decision that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or, transfer, directly or indirectly, chemical weapons to other States or non-State actors;

3. *Reaffirms* paragraphs 1, 3-4, 6, 8, 9, 12, and 15 of resolution 2235;

4. *Encourages* the Joint Investigative Mechanism, where relevant, to consult appropriate United Nations counter-terrorism and non-proliferation bodies, in particular the Committee established pursuant to resolution 1540 and 1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee, in order to exchange information on non-State actor perpetration, organization, sponsorship, or other involvement in use of chemicals as weapons in the Syrian Arab Republic where the OPCW Fact-Finding Mission (FFM) determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons;

5. *Invites* the Joint Investigative Mechanism to engage relevant regional States in pursuit of its mandate, including in order to identify to the greatest extent feasible any individuals, entities or groups associated with ISIL (Da'esh) or ANF who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons in the Syrian Arab Republic where the OPCW FFM determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, encourages relevant regional states to provide, as appropriate, to the Joint Investigative Mechanism information on non-State actors' access to chemical weapons and their components or efforts by non-State actors to develop, acquire, manufacture, possess, transport, transfer or use chemical weapons and their means of delivery that occur under their jurisdiction, including relevant information from national investigations, and underscores the importance of States Parties' obligations under Article VII of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC), and the full implementation of paragraph 8 of resolution 2235, including with respect to information pertaining to non-State actors;

6. *Recalls* Article X.8 and X.9 of the CWC allowing any State Party to request and receive assistance and protection against the use or threat of use of chemical weapons if it considers that chemical weapons have been used against it, recalls further that such requests, substantiated by relevant information, are transmitted by the Director General of the OPCW to the Executive Council and all States Parties to the CWC, and invites the Joint Investigative Mechanism to offer its services to the OPCW in such circumstances if relevant to effectively fulfilling the Joint Investigative Mechanism's mandate;

7. *Reaffirms* paragraph 7 of resolution 2235, including with respect to the ability of the Joint Investigative Mechanism to examine additional information and evidence that was not obtained or prepared by the FFM but that is related to the mandate of the Joint Investigative Mechanism, and stresses the need for its full implementation, in particular the provision of information requested by the Joint Investigative Mechanism and the making available of witnesses;

8. *Requests* the United Nations Secretary-General, in coordination with the OPCW Director-General, present a report to the United Nations Security Council and inform the OPCW Executive Council every 60 days on the progress made;

9. *Requests* the Joint Investigative Mechanism to complete a report within 90 days of adoption of this resolution, and complete subsequent reports as appropriate thereafter, and requests the Joint Investigative Mechanism to present the report, or reports, to the United Nations Security Council and inform the OPCW Executive Council, and invites the Joint Investigative Mechanism to brief, as appropriate, the 1540 Committee, the 1267/1989/2253 Committee or other relevant counter-terrorism or non-proliferation bodies on relevant results of their work;

10. *Decides* to remain actively seized of the matter.

United Nations S/RES/2320 (2016)

Security Council

Distr.: General
18 November 2016

Resolution 2320 (2016)

Adopted by the Security Council at its 7816th meeting, on 18 November 2016

The Security Council,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also Chapter VIII of the Charter of the United Nations,

Recognizing that cooperation with regional and subregional organizations in matters relating to the maintenance of peace and security, and consistent with Chapter VIII of the Charter of the United Nations, can improve collective security,

Recalling all its previous relevant resolutions, and statements by its President underscoring the importance of developing effective partnerships between the United Nations and regional organizations, in particular the African Union (AU), in accordance with the Charter of the United Nations,

Stressing the importance of collaboration between organizations in addressing the complex security challenges facing the international community,

Reaffirming its commitment to uphold the purposes and principles of the Charter of the United Nations, including its commitment and respect to the principles of political independence, sovereign equality and territorial integrity of all States in conducting all peacekeeping activities and the need for States to comply with their obligations under international law,

Resolving to strengthen the central role of the United Nations in peacekeeping and to ensure the effective functioning of the collective security system established by the Charter of the United Nations,

Stressing the utility of developing effective partnerships between the UN and regional and subregional organizations, in order to enable timely responses to disputes and emerging crises and to strengthen the role of the UN in the prevention of conflict, and *further stressing* that the coordination of efforts at the regional level may contribute to the development of a comprehensive strategy to ensure that peacekeeping is effective in addressing threats to international peace and security,

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Commending the progress made in the UN-AU partnership and stressing it should further develop into a systematic and strategic partnership adapted to the complex security challenges facing the Continent,

Welcoming the UN partnership with the AU in the field of peacekeeping, including by supporting the AU's efforts to develop policy, guidance and training in particular in the areas of security sector reform, post-conflict reconstruction, women, peace and security and the protection of civilians including child protection and the prevention of and response to sexual and gender-based violence in armed conflicts and post-conflict situations, thereby welcoming the Framework of Cooperation between the Special Representative on Sexual Violence in Conflict and the AU signed on 31 January 2014 and calling for its implementation,

Commending the work of the United Nations Office to the African Union (UNOAU) to strengthen the partnership between the UN and the AU,

Acknowledging the important role of the AU in efforts to prevent, mediate and settle conflicts on the African continent, and *expressing* its support for the continued efforts of the AU to confront threats to international peace and security in Africa consistent with Chapter VIII of the Charter of the United Nations,

Recalling the commitment made by the Assembly of the AU in January 2015, at its 24th ordinary session to fund 25% of the cost of its peace and security efforts, including peace support operations to be phased in over a five year period, as reaffirmed at the 25th Ordinary session in Johannesburg in July 2015,

Reaffirming the importance of mobilizing resources from within the Continent in support of the AU peace and security agenda. *Encouraging* AU Member States to foster the process aiming at finding practical and consensual ways on how to effectively implement the decision made by the Assembly of the AU relating to the Peace Fund, as endorsed by the 27th Ordinary Session of the Assembly held in Kigali, Rwanda, in July 2016,

Recalling the Report of the High-level Independent Panel on UN Peace Operations (HIPPO), the subsequent Secretary-General report entitled "The Future of United Nations Peace Operations: Implementation of the Recommendations of the HIPPO", with particular reference to strategic partnership with the African Union and in this regard stresses that this partnership should be underpinned by mutual consultations between the Security Council and the AU PSC in their respective decision making processes and common strategies for a holistic response to conflict, as appropriate, based on respective comparative advantage, burden sharing, consultative decision making, joint analysis and planning missions and assessment visits by the UN and AU, monitoring and evaluation, transparency and accountability, to address common security challenges in Africa in accordance with the Charter of the United Nations, including Chapter VIII and the Purposes and principles as well to determine the needs of regional peace support operations,

Welcoming the letter of the Chairperson of the AU Executive Council, the Foreign Minister of Chad, to the President of the UN Security Council and his request to start discussions, as requested in AU/Dec.605 (XXVII), on "the provision of UN assessed contributions for AU-led peace operations authorized by the Security Council",

Taking note of the AU High Representative for the Peace Fund's Report and proposals on the Decision-making Process for Seeking UN Assessed Contributions for AU Peace Support Operations as a contribution towards further discussions on sustainable financing for AU-led peace support operations on a case by case basis,

1. *Reaffirms* its determination to take effective steps to further enhance the relationship between the UN and regional organizations, in particular the AU, in accordance with Chapter VIII of the United Nations Charter;

2. *Acknowledges* the need for more support to enhance AU peace operations and encourages further dialogue between the UN and AU to achieve this; *and takes note* with interest the report of the joint AU-UN review of available mechanisms to finance and support African Union peace operations authorized by the UN Security Council of September 2016;

3. *Stresses* the need to enhance the predictability, sustainability and flexibility of financing for African Union-led peace support operations authorized by the Security Council and under the Security Council's authority consistent with Chapter VIII of the Charter;

4. *Reiterates* that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from partners and welcomes the valuable financial support provided from partners in this regard and *commends* the African Union's ongoing efforts and commitment to enhance self-reliance and financing of its activities, in a manner consistent with its member states' international obligations, as applicable;

5. *Welcomes* the AU Assembly decision [Assembly/AU/Dec.605 (XXVII)], adopted at its 27th ordinary session, held in Kigali in July 2016, which also reaffirmed its earlier decision, taken at the 25th ordinary session of the AU assembly to fund 25% of AU peace support operations, to be phased incrementally over five years;

6. *Encourages* the AU to finalize its human rights and Conduct and Discipline Compliance frameworks for AU peace support operations, to achieve greater accountability, transparency, and compliance with international human rights law and international humanitarian law, as applicable, and with UN conduct and discipline standards, and *underscores* the importance of these commitments as well as the requirement for oversight by the Security Council for operations authorized by the Security Council and under the Security Council's authority consistent with Chapter VIII of the Charter;

7. *Expresses* its readiness to consider the proposals of the AU, for future authorization and support by the Security Council for AU peace support operations authorized by the Security Council and under the Security Council's authority under Chapter VIII of the Charter, including on financing and accountability, and in this regard, invites the AU to update the Security Council within six months of the adoption of this resolution, regarding the details of the proposed scope of peace operations to be considered; the progress, benchmarks, and timelines for implementation of the AU Peace Fund, consistent with applicable international obligations, as well as accountability, transparency, and compliance frameworks for AU peace support operations;

8. *Requests* the Secretary-General to continue working closely with the AU to refine options for further cooperation on the relevant AU proposals, including joint planning and the process for mandating AU peace support operations, subject to authorization by the Security Council and to provide the Security Council with a detailed report within six months of the adoption of this resolution;

9. *Recognizes* the AU's commitment to fund 25 percent of AU peace support operation costs by 2020, *underscores* the need for early and regular engagement between the UN and AU on emerging and ongoing threats in Africa, *emphasizes* that consultative analysis and joint planning with the UN is critical to developing joint recommendations on the scope and resource implications of potential peace support operations, assessing action and undertaking missions where appropriate, and regularly reporting on such actions when taken, and *underscores* the importance of full compliance with AU and UN human rights and conduct and discipline policies and arrangements, and *encourages* further dialogue to establish these processes;

10. *Recognizes* the important role of the good offices of the Secretary-General in Africa, and encourages the Secretary-General to continue to use mediation as often as possible to help resolve conflicts peacefully, working in coordination and closely with the AU and other subregional organizations in that regard, as appropriate;

11. *Welcomes* the report of the Secretary-General on strengthening the partnership between the United Nations and the African Union in peace and security (S/2016/780), and notes the decision to conduct an assessment of United Nations-African Union cooperation, as well as the structure and capacity of UNOAU to meet the growing demands for the partnership, and requests the Secretary-General to report to the Security Council after completion of such assessment;

12. *Decides* to remain seized of the matter.

United Nations S/RES/2321 (2016)

Security Council

Distr.: General
30 November 2016

Resolution 2321 (2016)

Adopted by the Security Council at its 7821st meeting, on 30 November 2016

The Security Council,

Recalling its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004), resolution 1695 (2006), resolution 1718 (2006), resolution 1874 (2009), resolution 1887 (2009), resolution 2087 (2013), resolution 2094 (2013), and resolution 2270 (2016), as well as the statements of its President of 6 October 2006 (S/PRST/2006/41), 13 April 2009 (S/PRST/2009/7) and 16 April 2012 (S/PRST/2012/13),

Reaffirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Expressing its gravest concern at the nuclear test by the Democratic People's Republic of Korea ("the DPRK") on September 9, 2016 in violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), and at the challenge such a test constitutes to the Treaty on Non-Proliferation of Nuclear Weapons ("the NPT") and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and the danger it poses to peace and stability in the region and beyond,

Underlining once again the importance that the DPRK respond to other security and humanitarian concerns of the international community,

Underlining also that measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of the DPRK,

Expressing serious concern that the DPRK has continued to violate relevant Security Council resolutions through repeated launches and attempted launches of ballistic missiles, and *noting* that all such ballistic missile activities contribute to the DPRK's development of nuclear weapons delivery systems and increase tension in the region and beyond,

Expressing continued concern that the DPRK is abusing the privileges and immunities accorded under the Vienna Conventions on Diplomatic and Consular Relations,

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Expressing great concern that the DPRK's prohibited arms sales have generated revenues that are diverted to the pursuit of nuclear weapons and ballistic missiles while DPRK citizens have unmet needs,

Expressing its gravest concern that the DPRK's ongoing nuclear- and ballistic missile-related activities have further generated increased tension in the region and beyond, and *determining* that there continues to exist a clear threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* in the strongest terms the nuclear test conducted by the DPRK on 9 September 2016 in violation and flagrant disregard of the Security Council's resolutions;

2. *Reaffirms* its decisions that the DPRK shall not conduct any further launches that use ballistic missile technology, nuclear tests, or any other provocation; shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches; shall abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, and immediately cease all related activities; and shall abandon all other existing weapons of mass destruction and ballistic missile programmes in a complete, verifiable and irreversible manner;

3. *Decides* that the measures specified in paragraph 8 (d) of resolution 1718 (2006) shall apply also to the individuals and entities listed in annex I and II of this resolution and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and *decides* further that the measures specified in paragraph 8 (e) of resolution 1718 (2006) shall also apply to the individuals listed in annex I of this resolution and to individuals acting on their behalf or at their direction;

4. *Decides* that the measures imposed in paragraph 8 (a), 8 (b) and 8 (c) of resolution 1718 (2006) shall also apply to the items, materials, equipment, goods and technology listed in annex III of this resolution;

5. *Reaffirms* the measures imposed in paragraph 8 (a) (iii) of resolution 1718 (2006) regarding luxury goods, and *clarifies* that the term "luxury goods" includes also, but is not limited to, the items specified in annex IV of this resolution;

6. *Reaffirms* paragraphs 14 through 16 of resolution 1874 (2009), and paragraph 8 of resolution 2087 (2013), and *decides* that these paragraphs shall apply also with respect to any items the supply, sale or transfer of which is prohibited by this resolution;

7. *Decides* that the measures imposed in paragraphs 8 (a), 8 (b), and 8 (c) of resolution 1718 (2006) shall also apply to the items listed in a new conventional arms dual-use list to be adopted by the Committee, *directs* the Committee to adopt this list within 15 days and to report to the Security Council to this effect, and further *decides* that, if the Committee has not acted, then the Security Council will

complete action to adopt the list within seven days of receiving that report, and *directs* the Committee to update this list every 12 months;

8. *Decides* that paragraph 19 of resolution 2270 (2016) shall apply with respect to all leasing, chartering or provision of crew services to the DPRK without exception, unless the Committee approves on a case-by-case basis in advance;

9. *Decides* that paragraph 20 of resolution 2270 (2016) shall apply to registering vessels in the DPRK, obtaining authorization for a vessel to use the DPRK flag, and owning, leasing, operating, providing any vessel classification, certification or associated service, or insuring any vessel flagged by the DPRK, without exception, unless the Committee approves on a case-by-case basis in advance;

10. *Clarifies* that, for the purposes of implementing paragraph 17 of resolution 2270 (2016), specialized teaching and training which could contribute to the DPRK's proliferation sensitive nuclear activities or the development of nuclear weapons delivery systems includes, but is not limited to advanced materials science, advanced chemical engineering, advanced mechanical engineering, advanced electrical engineering and advanced industrial engineering;

11. *Decides* that all Member States shall suspend scientific and technical cooperation involving persons or groups officially sponsored by or representing the DPRK except for medical exchanges unless:

(a) In the case of scientific or technical cooperation in the fields of nuclear science and technology, aerospace and aeronautical engineering and technology, or advanced manufacturing production techniques and methods, the Committee has determined on a case-by-case basis that a particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile-related programmes; or

(b) In the case of all other scientific or technical cooperation, the State engaging in scientific or technical cooperation determines that the particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile-related programmes and notifies the Committee in advance of such determination;

12. *Decides* that the Committee, if it has information that provides reasonable grounds to believe the vessels are or have been related to nuclear- or ballistic missile-related programmes or activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution, may require any or all of the following measures with respect to vessels it designates pursuant to this paragraph: (a) the Flag State of a designated vessel shall de-flag the vessel; (b) the Flag State of a designated vessel shall direct the vessel to a port identified by the Committee, in coordination with the port State; (c) all Member States shall prohibit a designated vessel from entering their ports, unless in case of emergency, in case of return to the vessel's port of origination, or in case of direction by the Committee; (d) a vessel designated by the Committee shall be subject to the asset freeze imposed in paragraph 8 (d) of resolution 1718 (2006);

13. *Expresses concern* that the personal luggage and checked baggage of individuals entering into or departing from the DPRK may be used to transport

items the supply, sale or transfer of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution, and *clarifies* that such luggage and baggage constitute "cargo" for the purposes of implementing paragraph 18 of resolution 2270 (2016);

14. *Calls upon* all Member States to reduce the number of staff at DPRK diplomatic missions and consular posts;

15. *Decides* that all Member States shall take steps to restrict the entry into or transit through their territory of members of the Government of the DPRK, officials of that Government, and members of the DPRK armed forces, if the State determines that such members or officials are associated with the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), or this resolution;

16. *Decides* that all States shall take steps to limit the number of bank accounts to one per DPRK diplomatic mission and consular post, and one per accredited DPRK diplomat and consular officer, at banks in their territory;

17. *Recalls* that, under the Vienna Convention on Diplomatic Relations of 1961, a diplomatic agent shall not in the receiving State practice for personal profit any professional or commercial activity, and *emphasizes* accordingly that DPRK diplomatic agents are prohibited in the receiving State from such practice of professional or commercial activity;

18. *Decides* that all Member States shall prohibit the DPRK from using real property that it owns or leases in their territory for any purpose other than diplomatic or consular activities;

19. *Recalls* that a Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council, and that the exercise of these rights and privileges may be restored by the Security Council;

20. *Recalls* that paragraph 18 of resolution 2270 (2016) requires all States to inspect the cargo within or transiting through their territory, including their airports, that has originated in the DPRK, or that is destined for the DPRK, or has been brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, or by designated individuals or entities, or that is being transported on DPRK-flagged aircraft, emphasizes that this measure requires States to inspect DPRK-flagged aircraft when they land in or take off from their territory, recalls also that paragraph 31 of resolution 2270 (2016) requires all States to prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of aviation fuel, to the territory of the DPRK, and *calls upon* all States to exercise vigilance to ensure that no more fuel is provided to DPRK-flagged civil passenger aircraft than is necessary for the relevant flight, including a standard margin for safety of flight;

21. *Expresses* concern that prohibited items may be transported to and from the DPRK by rail and by road, and *underscores* that the obligation in paragraph 18

of resolution 2270 (2016) to inspect the cargo within or transiting through their territory includes the cargo being transported by rail and by road;

22. *Decides* that all Member States shall prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from providing insurance or re-insurance services to vessels owned, controlled, or operated, including through illicit means, by the DPRK unless the Committee determines on a case-by-case basis that the vessel is engaged in activities exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue or exclusively for humanitarian purposes;

23. *Decides* that all Member States shall prohibit their nationals from procuring vessel and aircraft crewing services from the DPRK;

24. *Decides* that all Member States shall de-register any vessel that is owned, controlled, or operated by the DPRK, and further *decides* that Member States shall not register any such vessel that has been de-registered by another Member State pursuant to this paragraph;

25. *Notes* that, for the purpose of implementing resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and this resolution, the term "transit" includes but is not limited to the travel of individuals through a State's international airport terminals en route to a destination in another State, regardless of whether such individuals pass through customs or passport control at that airport;

26. *Decides* that paragraph 29 of resolution 2270 (2016) shall be replaced by the following:

> "*Decides* that the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, coal, iron, and iron ore, and that all States shall prohibit the procurement of such material from the DPRK by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the DPRK, and *decides* that this provision shall not apply with respect to:
>
> (a) Coal that the procuring State confirms on the basis of credible information has originated outside the DPRK and was transported through the DPRK solely for export from the Port of Rajin (Rason), provided that the State notifies the Committee in advance and such transactions are unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution;
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> (b) Total exports to all Member States of coal originating in the DPRK that in the aggregate do not exceed 53,495,894 US dollars or 1,000,866 metric tons, whichever is lower, between the date of adoption of this resolution and 31 December 2016, and total exports to all Member States of coal originating in the DPRK that in the aggregate do not exceed 400,870,018 US dollars or 7,500,000 metric tons per year, whichever is lower, beginning 1 January 2017, provided that the procurements (i) involve no individuals or entities that are associated with the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution, including designated individuals

or entities, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, directly or indirectly, or individuals or entities assisting in the evasion of sanctions, and (ii) are exclusively for livelihood purposes of DPRK nationals *and* unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution, and *decides* that each Member State that procures coal from the DPRK shall notify the Committee of the aggregate amount of the volume of such procurement for each month no later than 30 days after the conclusion of that month on the form in annex V to this resolution, *directs* the Committee to make publicly available on its website the volume of procurement of coal from the DPRK reported by Member States and value calculated by the Committee Secretary, as well as the amount reported for each month and with the number of States that reported for each month, *directs* the Committee to update this information on a real-time basis as it receives notifications, *calls upon* all States that import coal from the DPRK to periodically review this website to ensure that they do not exceed the mandatory aggregate annual limit, *directs* the Committee Secretary to notify all Member States when an aggregate value or volume of coal procurements from the DPRK of 75 per cent of the aggregate yearly amount has been reached, also *directs* the Committee Secretary to notify all Member States when an aggregate value or volume of coal procurements from the DPRK of 90 per cent of the aggregate yearly amount has been reached, further *directs* the Committee Secretary to notify all Member States when an aggregate value or volume of coal procurements from the DPRK of 95 per cent of the aggregate yearly amount has been reached and to inform them that they must immediately cease procuring coal from the DPRK for the year, and *requests* the Secretary-General to make the necessary arrangements to this effect and provide additional resources in this regard; and

(c) Transactions in iron and iron ore that are determined to be exclusively for livelihood purposes and unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution."

27. *Directs* the Panel of Experts, following the end of each month, to determine and transmit to the Committee, in no more than 30 days, an estimate of the average (mean) price in US dollars of coal exported from the DPRK that month based on credible and factually accurate trade data, and *directs* the Committee Secretary to use this average price as the basis to calculate the value of the procurement of coal from the DPRK each month based on the volume reported by States for the purposes of notifying all member states and making publicly available DRPK export levels on the Committee website on a real-time basis as required in paragraph 26 of this resolution;

28. *Decides* that the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, copper, nickel, silver and zinc, and that all Member States shall prohibit the procurement of such material from the DPRK by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the DPRK;

29. *Decides* that the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, statues, and that all States shall prohibit the procurement of such items from the DPRK by their nationals, or using their flag vessels or aircraft, whether or not originating in the territory of the DPRK, unless the Committee approves on a case-by-case basis in advance;

30. *Decides* that all Member States shall prevent the direct or indirect supply, sale or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of new helicopters and vessels, except as approved in advance by the Committee on a case-by-case basis;

31. *Decides* that Member States shall take the necessary measures to close existing representative offices, subsidiaries or banking accounts in the DPRK within 90 days, unless the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions in the DPRK or the activities of the United Nations or its specialized agencies or related organizations or any other purpose consistent with the objectives of this resolution;

32. *Decides* that all Member States shall prohibit public and private financial support from within their territories or by persons or entities subject to their jurisdiction for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade), except as approved in advance by the Committee on a case-by-case basis;

33. *Decides* that, if a Member State determines that an individual is working on behalf of or at the direction of a DPRK bank or financial institution, then Member States shall expel the individual from their territories for the purpose of repatriation to the individual's state of nationality, consistent with applicable national and international law, unless the presence of the individual is required for fulfillment of a judicial process or exclusively for medical, safety or other humanitarian purposes, or the Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), or this resolution;

34. *Expresses* concern that DPRK nationals are sent to work in other States for the purpose of earning hard currency that the DPRK uses for its nuclear and ballistic missile programmes, and *calls upon* States to exercise vigilance over this practice;

35. *Reiterates* its concern that bulk cash may be used to evade measures imposed by the Security Council, and *calls upon* Member States to be alert to this risk;

36. *Calls upon* all Member States to report to the Security Council within 90 days of the adoption of this resolution, and thereafter upon request by the Committee, on concrete measures they have taken in order to implement effectively the provisions of this resolution, *requests* the Panel of Experts established pursuant to resolution 1874 (2009), in cooperation with other UN sanctions monitoring

groups, to continue its efforts to assist Member States in preparing and submitting such reports in a timely manner;

37. *Reaffirms* that Security Council resolution 1540 (2004) obligates all States to take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, and *notes* that these obligations are complementary to the obligations in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016) to prevent the direct or indirect supply, sale or transfer to the DPRK of items, materials, equipment, goods and technology which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes;

38. *Calls upon* all Member States to redouble efforts to implement in full the measures in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), and to cooperate with each other in doing so, particularly with respect to inspecting, detecting and seizing items the transfer of which is prohibited by these resolutions;

39. *Decides* that the mandate of the Committee, as set out in paragraph 12 of resolution 1718 (2006), shall apply with respect to the measures imposed in this resolution and *further decides* that the mandate of the Panel of Experts, as specified in paragraph 26 of resolution 1874 (2009) and modified in paragraph 1 of resolution 2276 (2016), shall also apply with respect to the measures imposed in this resolution;

40. *Decides* to authorize all Member States to, and that all Member States shall, seize and dispose (such as through destruction, rendering inoperable or unusable, storage, or transferring to a State other than the originating or destination States for disposal) of items the supply, sale, transfer, or export of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution that are identified in inspections, in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the NPT, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 29 April 1997, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972;

41. *Emphasizes* the importance of all States, including the DPRK, taking the necessary measures to ensure that no claim shall lie at the instance of the DPRK, or of any person or entity in the DPRK, or of persons or entities designated for measures set forth in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or this resolution, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by this resolution or previous resolutions;

42. *Requests* the Secretary-General to provide additional administrative and analytical support resources needed to increase the capacity of the Panel of Experts

established pursuant to resolution 1874 (2009) and strengthen its ability to analyse the DPRK's sanctions violation and evasion activities, to include additional funding allocated to the procurement of aerial imagery and analysis services, access to relevant trade and international security databases and other information sources, as well as support the resulting increased activities of the Committee by the Secretariat;

43. *Requests* the Panel of Experts to include findings and recommendations in its midterm reports, beginning with the midterm report due to be submitted to the Committee by no later than 5 August 2017;

44. *Directs* the Committee, with the assistance of its Panel of Experts, to hold special meetings on important thematic and regional topics and Member States' capacity challenges, to identify, prioritize, and mobilize resources to areas that would benefit from technical and capacity-building assistance to enable more effective implementation by Member States;

45. *Reiterates* its deep concern at the grave hardship that the people in the DPRK are subjected to, *condemns* the DPRK for pursuing nuclear weapons and ballistic missiles instead of the welfare of its people while people in the DPRK have great unmet needs, and *emphasizes* the necessity of the DPRK respecting and ensuring the welfare and inherent dignity of people in the DPRK;

46. *Reaffirms* that the measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and this resolution are not intended to have adverse humanitarian consequences for the civilian population of the DPRK or to affect negatively those activities, including economic activities and cooperation, that are not prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and this resolution, and the work of international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK, and *decides* that the Committee may, on a case-by-case basis, exempt any activity from the measures imposed by these resolutions if the Committee determines that such an exemption is necessary to facilitate the work of such organizations in the DPRK or for any other purpose consistent with the objectives of these resolutions;

47. *Reaffirms* its support to the Six Party Talks, *calls* for their resumption, and *reiterates* its support for the commitments set forth in the Joint Statement of 19 September 2005 issued by China, the DPRK, Japan, the Republic of Korea, the Russian Federation, and the United States, including that the goal of the Six-Party Talks is the verifiable denuclearization of the Korean Peninsula in a peaceful manner, that the United States and the DPRK undertook to respect each other's sovereignty and exist peacefully together, and that the Six Parties undertook to promote economic cooperation, and all other relevant commitments;

48. *Reiterates* the importance of maintaining peace and stability on the Korean Peninsula and in north-east Asia at large, and *expresses* its commitment to a peaceful, diplomatic and political solution to the situation and welcomes efforts by Council members as well as other States to facilitate a peaceful and comprehensive solution through dialogue and stresses the importance of working to reduce tensions in the Korean Peninsula and beyond;

49. *Affirms* that it shall keep the DPRK's actions under continuous review and is prepared to strengthen, modify, suspend or lift the measures as may be needed in light of the DPRK's compliance, and, in this regard, *expresses its determination* to take further significant measures in the event of a further DPRK nuclear test or launch;

50. *Decides* to remain seized of the matter.

Annex I

Travel Ban/Asset Freeze (Individuals)

1. PAK CHUN IL
   a. *Description*: Pak Chun Il has served as the DPRK Ambassador to Egypt and provides support to KOMID.
   b. *AKA*: n/a
   c. *Identifiers*: DOB: 28 July 1954; Nationality: DPRK; Passport: 563410091

2. KIM SONG CHOL
   a. *Description*: Kim Song Chol is a KOMID official that has conducted business in Sudan on behalf of KOMID's interests.
   b. *AKA*: Kim Hak Song
   c. *Identifiers*: DOB: 26 March 1968, alt. DOB: 15 October 1970; Nationality: DPRK; Passport: 381420565, alt. Passport: 654120219

3. SON JONG HYOK
   a. *Description*: Son Jong Hyok is a KOMID official that has conducted business in Sudan on behalf of KOMID's interests.
   b. *AKA*: Son Min
   c. *Identifiers*: DOB: 20 May 1980; Nationality: DPRK

4. KIM SE GON
   a. *Description*: Kim Se Gon works on behalf of the Ministry of Atomic Energy Industry.
   b. *AKA*: n/a
   c. *Identifiers*: DOB: 13 November 1969; Passport: PD472310104; Nationality: DPRK

5. RI WON HO
   a. *Description*: Ri Won Ho is a DPRK Ministry of State Security Official stationed in Syria supporting KOMID.
   b. *AKA*: n/a
   c. *Identifiers*: DOB: 17 July 1964; Passport: 381310014, Nationality: DPRK

6. JO YONG CHOL
   a. *Description*: Jo Yong Chol is a DPRK Ministry of State Security Official stationed in Syria supporting KOMID.
   b. *AKA*: Cho Yong Chol
   c. *Identifiers*: DOB: 30 September 1973, Nationality: DPRK

7. KIM CHOL SAM

   a. *Description*: Kim Chol Sam is a representative for Daedong Credit Bank (DCB) who has been involved in managing transactions on behalf of DCB Finance Limited. As an overseas-based representative of DCB, it is suspected that Kim Chol Sam has facilitated transactions worth hundreds of thousands of dollars and likely managed millions of dollars in DPRK related accounts with potential links to nuclear/missile programmes.

   b. *AKA*: n/a

   c. *Identifiers*: DOB: 11 March 1971; Nationality: DPRK

8. KIM SOK CHOL

   a. *Description*: Kim Sok Chol acted as the DPRK Ambassador to Myanmar and he operates as a KOMID facilitator. He was paid by KOMID for his assistance and arranges meetings on behalf of KOMID, including a meeting between KOMID and Myanmar's defense related persons to discuss financial matters.

   b. *AKA*: n/a

   c. *Identifiers*: DOB: 8 May 1955; Passport 472310082; Nationality: DPRK

9. CHANG CHANG HA

   a. *Description*: Chang Chang Ha is the President of the Second Academy of Natural Sciences (SANS).

   b. *AKA*: Jang Chang Ha

   c. *Identifiers*: DOB: 10 January 1964; Nationality: DPRK

10. CHO CHUN RYONG

   a. *Description*: Cho Chun Ryong is the Chairman of the Second Economic Committee (SEC).

   b. *AKA*: Jo Chun Ryong

   c. *Identifiers*: DOB: 4 April 1960; Nationality: DPRK

11. SON MUN SAN

   a. *Description*: Son Mun San is the Director-General of the External Affairs Bureau of the General Bureau of Atomic Energy (GBAE).

   b. *AKA*: n/a

   c. *Identifiers*: DOB: 23 January 1951; Nationality: DPRK

Annex II

Asset Freeze (Entities)

1. KOREA UNITED DEVELOPMENT BANK

   a. *Description*: Korea United Development Bank operates in the financial services industry of the DPRK economy.

   b. *Location*: Pyongyang, North Korea; SWIFT/BIC: KUDBKPPY

2. ILSIM INTERNATIONAL BANK

   a. *Description*: Ilsim International Bank is affiliated with the DPRK military and has a close relationship with Korea Kwangson Banking Corporation (KKBC). Ilsim International Bank has attempted to evade United Nations sanctions.

   b. *AKA*: n/a

   c. *Location*: Pyongyang, DPRK; SWIFT: ILSIKPPY

3. KOREA DAESONG BANK

   a. *Description*: Daesong Bank is owned and controlled by Office 39 of the Korea Workers' Party.

   b. *AKA*: Choson Taesong Unhaeng; AKA: Taesong Bank

   c. *Location*: Segori-dong, Gyongheung St. Potonggang District, Pyongyang, DPRK; SWIFT/BIC: KDBKKPPY

4. SINGWANG ECONOMICS AND TRADING GENERAL CORPORATION

   a. *Description*: Singwang Economics and Trading General Corporation is a DPRK firm for trading in coal. DPRK generates a significant share of the money for its nuclear and ballistic missile programmes by mining natural resources and selling those resources abroad.

   b. *AKA*: n/a

   c. *Location*: DPRK

5. KOREA FOREIGN TECHNICAL TRADE CENTER

   a. *Description*: Korea Foreign Technical Trade Center is a DPRK firm trading in coal. DPRK generates a significant share of the funds needed to finance its nuclear and ballistic missile programmes by mining natural resources and selling those resources abroad.

   b. *AKA*: n/a

   c. *Location*: DPRK

6. KOREA PUGANG TRADING CORPORATION

   a. *Description*: Korea Pugang Trading Corporation is owned by the Korea Ryonbong General Corporation, DPRK's defense conglomerate specializing in acquisition for DPRK defense industries and support to Pyongyang's military related sales.

   b. *AKA*: n/a

   c. *Location*: Rakwon-dong, Pothonggang District, Pyongyang, DPRK

7. KOREA INTERNATIONAL CHEMICAL JOINT VENTURE COMPANY

   a. *Description*: Korea International Chemical Joint Venture Company is a subsidiary of Korea Ryonbong General Corporation — DPRK's defense conglomerate specializing in acquisition for DPRK defense industries and support to Pyongyang's military related sales — and has engaged in proliferation-related transactions.

   b. *AKA*: Choson International Chemicals Joint Operation Company; AKA: Chosun International Chemicals Joint Operation Company; AKA: International Chemical Joint Venture Company

   c. *Location*: Hamhung, South Hamgyong Province, DPRK; Location: Man gyongdae-kuyok, Pyongyang, DPRK; Location: Mangyungdae-gu, Pyongyang, DPRK

8. DCB FINANCE LIMITED

   a. *Description*: DCB Finance Limited is a front company for Daedong Credit Bank (DCB), a listed entity.

   b. *AKA*: n/a

   c. *Locations*: Akara Building, 24 de Castro Street, Wickhams Cay I, Road Town, Tortola, British Virgin Islands; Dalian, China

9. KOREA TAESONG TRADING COMPANY

   a. *Description*: Korea Taesong Trading Company has acted on behalf of KOMID in dealings with Syria.

   b. *AKA*: n/a

   c. *Location*: Pyongyang, DPRK

10. KOREA DAESONG GENERAL TRADING CORPORATION

   a. *Description*: Korea Daesong General Trading Corporation is affiliated with Office 39 through minerals (gold) exports, metals, machinery, agricultural products, ginseng, jewelry, and light industry products.

   b. *AKA*: Daesong Trading; Daesong Trading Company; Korea Daesong Trading Company; Korea Daesong Trading Corporation

   c. *Location*: Pulgan Gori Dong 1, Potonggang District, Pyongyang City, DPRK

Annex III

Items, Materials, Equipment, Goods and Technology

Nuclear- and/or Missile-usable Items

1. Isocyanates (TDI (Toluene di-isocyanate), MDI (Methylene bis (phenyl isocyanate)), IPDI (Isophorone diisosocyanate), HNMDI or HDI (Hexamethylene diisocyanate), and DDI (dimeryl diisocyanate) and production equipment.
2. Ammonium nitrate, chemically pure or in phase stabilized version (PSAN).
3. Non-destructive test chambers with a 1m or more critical internal dimension.
4. Turbo-pumps for liquid or hybrid rocket engines.
5. Polymeric Substances (Hydroxyl Terminated Poly-Ether (HTPE), Hydroxyl Terminated Caprolactone Ether (HTCE), Polypropylene glycol (PPG), Polydiethyleneglycol adipate (PGA) and Polyethylene Glycol (PEG)).
6. Inertial equipment for any application, particularly for civilian aircraft, satellite, geophysical survey applications and their associated test equipment.
7. Countermeasure Subsystems and Penetration Aids (e.g. jammers, chaff, decoys) designed to saturate, confuse, or evade missile defences.
8. Manganese metal Brazing Foils.
9. Hydroforming machines.
10. Thermal treatment furnaces — Temperature >850 degrees C and one dimension >1m.
11. Electrical Discharge Machines (EDMs).
12. Friction stir welding machines.
13. Modelling and design software related to the modelling of aerodynamic and thermodynamic analysis of rocket or unmanned aerial vehicle systems.
14. High-speed imaging cameras except those used in medical imaging systems.
15. Truck chassis with 6 or more axles.

Chemical/Biological Weapons-usable Items

1. Floor-mounted fume hoods (walk-in style) with a minimum nominal width of 2.5 meters.
2. Batch centrifuges with a rotor capacity of 4 L or greater, usable with biological materials.
3. Fermenters with an internal volume of 10-20 L (.01-.02 cubic meters), usable with biological materials.

Annex IV

Luxury Goods

(1) Rugs and tapestries (valued greater than $500)

(2) Tableware of porcelain or bone china (valued greater than $100)

Annex V

Standard Form for Notification of Import of Coal From the Democratic People's Republic of Korea (DPRK)
pursuant to paragraph 26 (b) of resolution 2321 (2016)

This form notifies the UN Security Council 1718 Committee of the procurement of coal from the Democratic People's Republic of Korea (DPRK) in keeping with the relevant provisions of resolution 2321 (2016).

Procuring State:

Month:

Year:

Coal imported from DPRK, in metric tons:

Coal imported from DPRK, in US dollars (optional):

Additional information (optional):

Signature/seal:

Date:

United Nations S/RES/2322 (2016)

Security Council

Distr.: General
12 December 2016

Resolution 2322 (2016)

Adopted by the Security Council at its 7831st meeting, on 12 December 2016

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), 2129 (2013), 2133 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2214 (2015), 2249 (2015), 2253 (2015) and 2309 (2016),

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed,

Reaffirming that terrorism should not be associated with any religion, nationality, civilization or ethnic group,

Condemning terrorists and terrorist groups, in particular the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property, and greatly undermining stability,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Gravely concerned that in some cases terrorists or terrorist groups, in particular ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities continue to profit from involvement in transnational organized crime, and

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expressing concern that terrorists benefit from transnational organized crime in some regions, including from the trafficking of arms, persons, drugs, and artifacts, and from the illicit trade in natural resources including gold and other precious metals and stones, minerals, wildlife, charcoal and oil, as well as from kidnapping for ransom and other crimes including extortion and bank robbery,

Expressing concern at the continuing use, in a globalized society, by terrorists and their supporters, of information and communication technologies, in particular the Internet, to facilitate terrorist acts, and *condemning* their use to incite, recruit, fund, or plan terrorist acts,

Expressing concern also at the continued flow of international recruits to ISIL, Al- Qaida, and associated groups, and *recalling* its resolution 2178 (2014) deciding that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting, or equipping of foreign terrorist fighters and the financing of their travel and of their activities,

Particularly concerned at the growing involvement of terrorist groups, especially in areas of conflict, in the destruction and the trafficking in cultural property and related offences, and recognizing the indispensable role of international cooperation in crime prevention and criminal justice responses to combat such trafficking and related offences in a comprehensive and effective manner,

Reiterating the obligation of Member States to prevent the movement of terrorists and terrorist groups, in accordance with applicable international law, by, inter alia, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists, and financing that would support terrorists,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Underlining the importance of strengthening international cooperation, including by investigators, prosecutors and judges, in order to prevent, investigate and prosecute terrorist acts, and *recognizing* the persisting challenges associated with strengthening international cooperation in combating terrorism including in stemming the flow of FTFs to and returning from conflict zones, in particular due to the cross border nature of the activity,

Stressing that the development and maintenance of fair and effective criminal justice systems should be a fundamental basis of any strategy to counter terrorism and transnational organized crime,

Recalling that timely cooperation and action, in accordance with international obligations, can help States to prevent FTFs from travelling to conflict zones, develop effective strategies to deal with returnees, preserve through law enforcement and judicial authorities critical evidence for legal proceedings, and facilitate the implementation of procedures for prosecution,

Noting the significant increase in the requests for cooperation in gathering digital data and evidence from the Internet and *stressing* the importance of considering the re-evaluation of methods and best practices, as appropriate, in particular, related to investigative techniques and electronic evidence,

Calling upon Member States to continue exercising vigilance over relevant financial transactions and improve information-sharing capabilities and practices, in line with applicable international and national law, within and between governments through relevant authorities including judicial authorities and channels, including law enforcement, intelligence, security services, and financial intelligence units, and also *calling upon* Member States to improve integration and utilization of financial intelligence with other types of information available, such as that provided by the private sector to national governments, to more effectively counter the terrorist financing threats posed by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, including through actions related to investigative techniques, evidence gathering and prosecution,

Calling upon Member States to continue information-sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on individuals and entities implicated in terrorist activities, in particular their supply of weapons and sources of material support, and on the ongoing international counter-terrorism cooperation including among special services, security agencies and law enforcement organizations and criminal justice authorities,

Welcoming the efforts by UNODC to upgrade its existing networks of Central Authorities to encompass the ones responsible for counter terrorism matters,

Recalling that the obligation in paragraph 1(d) of resolution 1373 (2001) also applies to making funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act,

1. *Reiterates* its call upon all states to become party to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party;

2. *Reaffirms* that those responsible for committing or otherwise responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights in this context, must be held accountable;

3. *Calls upon* States to share, where appropriate, information about foreign terrorist fighters and other individual terrorists and terrorist organizations, including biometric and biographic information, as well as information that demonstrates the nature of an individual's association with terrorism via bilateral, regional and global law enforcement channels, in compliance with international and domestic national law and policy, and *stresses* the importance of providing such information to national watch lists and multilateral screening databases;

4. *Recognizes* the important role of national legislation in enabling international judicial and law enforcement cooperation on terrorist-related offences, and *calls upon* Member States to enact, and where appropriate, review their respective counterterrorism legislation in view of the evolving threat posed by terrorist groups and individuals;

5. *Calls* upon States to consider, where appropriate, downgrading for official use intelligence threat data on foreign terrorist fighters and individual terrorists, to appropriately provide such information to front-line screeners, such as immigration, customs and border security, and to appropriately share such information with other concerned States and relevant international organizations in compliance with international and domestic national law and policy;

6. *Emphasizes* the importance of States establishing as a serious criminal offence in their domestic laws and regulations the willful violation of the prohibition on financing of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a direct link to a specific terrorist act, and *urges* States to exchange information about such activity consistent with international and national law and *emphasizes* further the recent FATF guidance on Recommendation 5 on the criminalization of terrorist financing for any purpose, in line with resolutions 2199 (2015) and 2253 (2015);

7. *Further encourages* States to cooperate in the implementation of targeted financial and travel sanctions against terrorist groups and individual terrorists under resolution 1373 (2001) and the implementation of targeted financial and travel sanctions and arms embargo against those listed under 2253 (2015) by sharing information with other relevant States and international organizations about such individuals and groups to the greatest degree possible, consistent with international and national law;

8. *Recalls* that all States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *urges* States to act in accordance with their obligations under international law, in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups;

9. *Calls upon* all States to:

(a) Exchange information, in accordance with international and domestic law and cooperate on administrative, police and judicial matters to prevent the commission of terrorist acts and to counter the FTF threat, including returnees;

(b) Consider the possibility of allowing through appropriate laws and mechanisms, the transfer of criminal proceedings, as appropriate, in terrorist-related cases;

(c) Enhance cooperation to prevent terrorists from benefiting from transnational organized crime, to investigate and to build the capacity to prosecute such terrorists and transnational organized criminals working with them;

(d) Enhance cooperation to deny safe haven to those who finance, plan, support, commit terrorist acts, or provide safe havens;

10. *Calls upon all* States to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

11. *Urges* also as a matter of priority that Member States consider, as appropriate, ratifying, acceding to, and implementing other relevant international conventions to support international cooperation in criminal matters, such as the UN Convention against Transnational Organized Crime of 2000 and the Protocols thereto;

12. *Urges* States to develop, including, upon request, with the assistance of UNODC and in close cooperation with UNESCO and INTERPOL, broad law enforcement and judicial cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences that benefit or may benefit terrorist or terrorist groups, and to introduce effective national measures at the legislative and operational levels where appropriate, and in accordance with obligations and commitments under international law and national instruments, to prevent and combat trafficking in cultural property and related offences, including considering to designate such activities that may benefit terrorist or terrorist groups, as a serious crime in accordance with article 2 of the UN Convention against Transnational Organized Crime;

13. *Calls upon* all States to:

(a) Use applicable international instruments to which they are parties as a basis for mutual legal assistance and, as appropriate, for extradition in terrorism cases, and encourages States, in the absence of applicable conventions or provisions, to cooperate when possible on the basis of reciprocity or on a case by case basis;

(b) Enact and, where appropriate, review and update extradition and mutual legal assistance laws in connection with terrorism-related offences, consistently with their international obligations, including their obligations under international human rights law, and to consider reviewing national mutual legal assistance laws and mechanisms related to terrorism and updating them as necessary in order to strengthen their effectiveness, especially in the light of the substantial increase in the volume of requests for digital data;

(c) Consider strengthening implementation, and where appropriate, reviewing possibilities for enhancing the effectiveness of their respective bilateral and multilateral treaties concerning extradition and Mutual Legal Assistance in criminal matters related to counter-terrorism;

(d) Consider ways within the framework of the implementation of existing applicable international legal instruments to simplify extradition and MLA requests in appropriate terrorism-related cases, while recognizing the need for due consideration, in light of the need to uphold relevant legal obligations;

(e) Designate mutual legal assistance and extradition Central Authorities or other relevant criminal justice authorities and ensure that such authorities have

adequate resources, training and legal authority, in particular for terrorism related offences;

(f) Take measures, where appropriate, to update current practices on MLA regarding acts of terrorism, including considering, where appropriate, the use of electronic transfer of requests to expedite the proceedings between Central Authorities or, as appropriate, other relevant criminal justice authorities with full respect to existing treaty obligations;

(g) Consider providing UNODC with information for its repository database with contacts and other relevant details of designated authorities;

(h) Consider developing and participating in regional mutual legal assistance cooperation platforms and developing and enhancing arrangements for expeditious cross-regional cooperation for terrorism related offences;

14. *Encourages* Member States to act cooperatively to prevent terrorists from recruiting, to counter their violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter narratives, while respecting human rights and fundamental freedoms and in compliance with obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavor;

15. *Calls upon* all States, in conformity with international law, to consider establishing appropriate laws and mechanisms that allow for the broadest possible international cooperation, including the appointment of liaison officers, police to police cooperation, the creation/use, when appropriate, of joint investigation mechanisms, and enhanced coordination of cross-border investigations in terrorism cases, and also *calls upon* States to increase, where appropriate, their use of electronic communication and universal templates, in full respect for fair trial guarantees of the accused;

16. *Recognizes* the proven effectiveness of I-24/7, INTERPOL's secure global communication system, as well as its array of investigative and analytical databases, and its system of notices in the framework of the fight against terrorism, *encourages* States to increase the capacity of their National Central Bureaus to utilize them and to designate a 24 hour/seven days a week point of contact for this network and to take the necessary measures to ensure its adequate training in its use to counter terrorism and foreign terrorist fighters, including illicit international travel;

17. *Encourages also* States, to consider extending access to, and where appropriate, integrate into their national systems, the INTERPOL I-24/7 police information network beyond the National Central Bureaus to other national law enforcement entities at strategic locations such as remote border crossings, airports, customs and immigration posts or police stations;

18. *Encourages* Member States, international, regional and sub-regional organizations to consider the possibility of developing 24/7 networks to counter terrorism while taking into account their existing arrangements for cooperation, and in this regard, *takes note* of the creation of a 24 hours seven days a week point of contact cooperation network in the Additional Protocol to the Council of Europe

Convention on the Prevention of Terrorism (May 2015) to combat terrorism, in furtherance of the implementation of resolution 2178 (2014);

19. *Directs* the Counter Terrorism Committee, with the support of CTED to:

(a) Include in its dialogue with international, regional and subregional organizations and Member States their efforts to promote international law enforcement and judicial cooperation in counter-terrorism matters and to work closely with international, regional and subregional organizations and relevant UN bodies that have developed relevant networks and cross regional cooperation in order to facilitate international cooperation to counter terrorism and foreign terrorist fighters, including returnees, particularly by providing analysis on capacity gaps and recommendations based on CTED's country assessments;

(b) Identify gaps or trends in current international cooperation among Member States, including through CTC briefings to exchange information on good practices, and facilitate capacity building, including through sharing good practices and exchange of information in this regard;

(c) Work with CTITF entities, in particular UNODC, to identify areas where it is appropriate to deliver technical assistance to Member States, upon their request, to implement this resolution, including through the training of prosecutors, judges and other relevant officials involved in international cooperation, particularly by providing analysis on capacity gaps and recommendations based on CTED's country assessments;

(d) Identify and raise awareness on good practices on international judicial and law enforcement cooperation in counter-terrorism matters;

20. *Requests* UNODC to further enhance, in close consultation with the Counter-terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and of relevant United Nations resolutions and further requests UNODC, together with Member States, to continue to promote, inter alia, international cooperation in criminal matters related to terrorism, including foreign terrorist fighters, especially with regard to extradition and mutual legal assistance;

21. *Requests* the Counter Terrorism Executive Directorate, with the assistance of UNODC and in consultation with CTITF office to prepare a report on the current state of international law enforcement and judicial cooperation related to terrorism, identifying major gaps and providing the Counter Terrorism Committee with recommendations to address them within ten months;

22. *Requests* CTC to update the Council in twelve months on the implementation of this resolution.

United Nations S/RES/2323 (2016)

Security Council

Distr.: General
13 December 2016

Resolution 2323 (2016)

Adopted by the Security Council at its 7832nd meeting, on 13 December 2016

The Security Council,

Recalling its resolution 1970 (2011) and all its subsequent resolutions on Libya,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Taking note of the report of the Secretary-General on the United Nations Support Mission in Libya (UNSMIL) (S/2016/1011),

Expressing its strong support for the ongoing efforts of UNSMIL and the Special Representative of the Secretary-General (SRSG) to facilitate a Libyan-led political solution to the challenges facing Libya,

Recalling resolution 2259 (2015) which endorses the Rome Communiqué of 13 December 2015 to support the Government of National Accord (GNA) as the sole legitimate government of Libya, and welcoming the arrival in Tripoli on 30 March 2016 of members of the Presidency Council of the GNA, led by Prime Minister Fayez Sarraj,

Reiterating its support for the full implementation of the Libyan Political Agreement (LPA) of Skhirat, Morocco signed on 17 December 2015 to form a GNA consisting of the Presidency Council and Cabinet supported by the other institutions of state including the House of Representatives and State Council,

Welcoming the endorsement in principle of the LPA by the House of Representatives on 25 January 2016 and the meeting of the Libyan Political Dialogue on 10 March 2016 which reaffirmed its commitment to uphold the LPA, and *further welcoming* the statement by the Members of the Libyan Political Dialogue following their meeting in Malta on 11 November 2016,

Emphasising the importance of continued inclusiveness, *strongly encouraging* the GNA to engage with all parties in support of reconciliation and to enhance political outreach throughout Libya, and *urging* all parties and institutions in Libya to engage constructively with the LPA in good faith and with sustained political will,

Please recycle

Urging the full, equal and effective participation of women in all activities relating to the democratic transition, conflict resolution and peacebuilding, and *calling on* the Libyan authorities to prevent and respond to sexual violence in conflict, including addressing impunity for sexual violence crimes in line with relevant Security Council resolutions, including resolutions 1325 (2000), 2106 (2013), 2122 (2013) and 2242 (2015),

Fully supporting the Vienna Communiqué of 16 May 2016 which urged all parties to work constructively towards the completion of the transitional institutional framework and welcomed the creation of the Presidential Guard by the Presidency Council, *encouraging* further progress towards establishing the Presidential Guard, and *stressing* that ensuring security and defending Libya from terrorism must be the task of unified and strengthened national security forces under the sole authority of the GNA in accordance with the LPA,

Further recalling resolution 2259 (2015) which called on Member States to cease support to and official contact with parallel institutions claiming to be the legitimate authority, but which were outside the LPA, as specified by the Agreement,

Encouraging the GNA to finalize interim security arrangements for stabilizing Libya as a critical step towards tackling Libya's political, security, humanitarian, economic and institutional challenges and *recognising* the need for the GNA to plan for disarmament, demobilisation and reintegration of armed groups in that regard, and *encouraging* the GNA to lead stabilization efforts in affected cities including in Sirte and Benghazi to combat the threat of terrorism,

Expressing grave concern at the deteriorating humanitarian situation in Libya,

Welcoming the Joint Communiqué on Libya of 22 September 2016 by Algeria, Canada, Chad, China, Egypt, France, Germany, Jordan, Italy, Malta, Morocco, Niger, Qatar, Russia, Saudi Arabia, Spain, Sudan, Tunisia, Turkey, the United Arab Emirates, the United Kingdom, the United States, the European Union, the United Nations, the League of Arab States, and the African Union,

Taking note of the Joint Communiqué of 25 October 2016 following the trilateral meeting of the League of Arab States, the African Union, and the United Nations at the headquarters of the League of Arab States on 25 October 2016 to discuss the situation in Libya and the means to further cooperation between the three organizations in order to advance the political process and assist Libya in its democratic transition,

Taking note of the London and Rome meetings on the economy on 31 October/1 November and 17 November 2016 and *welcoming* the commitment of the representatives of the Presidency Council, the Government of National Accord, the Central Bank of Libya, the Audit Bureau and the National Oil Corporation to alleviate urgently the suffering of the Libyan people by increasing oil production, improving cash flow and speeding up the delivery of public services,

Reiterating its request that all Member States fully support the efforts of the SRSG and work with the Libyan authorities and UNSMIL to develop a coordinated package of support to build the capacity of the GNA, in line with Libyan priorities and in response to requests for assistance, and *further reiterating* its call upon all parties to cooperate fully with the activities of UNSMIL, including taking necessary

steps to ensure the security and unhindered movement for the United Nations and associated personnel,

Encouraging UNSMIL to continue to prioritize its tasks and mediation efforts in full consultation with the Presidency Council and other Libyan institutions and in response to its needs and the evolving situation in the country,

Recalling its determination in resolution 2213 (2015) that the situation in Libya continues to constitute a threat to international peace and security,

1. *Decides* to extend until 15 September 2017 the mandate of UNSMIL, under the leadership of the Special Representative of the Secretary-General, as an integrated special political mission, in full accordance with the principles of national ownership to exercise mediation and good offices to support:

(i) implementation of the Libyan Political Agreement;

(ii) consolidation of the governance, security and economic arrangements of the Government of National Accord; and

(iii) subsequent phases of the Libyan transition process;

2. *Further decides* that UNSMIL, within operational and security constraints, should undertake the following tasks:

(i) support to key Libyan institutions;

(ii) support, on request, for the provision of essential services, and delivery of humanitarian assistance and in accordance with humanitarian principles;

(iii) human rights monitoring and reporting;

(iv) support for securing uncontrolled arms and related materiel and countering their proliferation; and

(v) co-ordination of international assistance, and provision of advice and assistance to GNA-led efforts to stabilise post-conflict zones, including those liberated from Da'esh;

3. *Recognizes* that since 30 March 2016 UNSMIL has facilitated a consistent presence in Libya to support the Presidency Council and Temporary Security Committee and *encourages* UNSMIL to continue working towards re-establishing a permanent presence in Libya through a phased return, as security conditions allow and to make the necessary security arrangements to this effect;

4. *Looks forward* to the outcome of Secretary-General's Strategic Assessment Review in early 2017 and *stands ready to* review the mandate of the Mission as a result if needed;

5. *Requests* the Secretary-General to continue to report to the Security Council on the implementation of this resolution at least every 60 days;

6. *Requests* the Secretary-General to report as necessary following consultations with the Libyan authorities on recommendations for UNSMIL's support to the subsequent phases of the Libyan transition process and UNSMIL's security arrangements;

7. *Decides* to remain actively seized of the matter.

United Nations S/RES/2324 (2016)

Security Council

Distr.: General
14 December 2016

Resolution 2324 (2016)

Adopted by the Security Council at its 7836th meeting, on 14 December 2016

The Security Council,

Recognizing the central role that Secretary-General Ban Ki-moon has played in guiding the Organization in the discharge of his responsibilities under the Charter of the United Nations,

Further recognizing his sustained efforts towards finding just and lasting solutions to various disputes and conflicts around the globe,

Commending the reforms that he has initiated and the many proposals that he has made on the restructuring and strengthening of the role and functioning of the United Nations system,

1. *Acknowledges* the contribution of Secretary-General Ban Ki-moon to international peace, security and development, his exceptional efforts to solve international problems in economic, social, environmental and cultural fields, as well as his endeavours to meet humanitarian needs and to promote and encourage respect for human rights and fundamental freedoms for all;

2. *Expresses its deep appreciation* to Secretary-General Ban Ki-moon for his dedication to the purposes and principles enshrined in the Charter and to the development of friendly relations among nations.

16-22150 (E)

Please recycle

United Nations S/RES/2325 (2016)

Security Council

Distr.: General
15 December 2016

Resolution 2325 (2016)

Adopted by the Security Council at its 7837th meeting, on 15 December 2016

The Security Council,

Reaffirming its resolutions 1540 (2004) of 28 April 2004, 1673 (2006) of 27 April 2006, 1810 (2008) of 25 April 2008, 1977 (2011) of 20 April 2011, and 2055 (2012) of 29 June 2012,

Reaffirming that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Reaffirming its decision that none of the obligations in resolution 1540 (2004) shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons,

Remaining gravely concerned by the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in or use nuclear, chemical, and biological weapons and their means of delivery, including by using the rapid advances in science, technology and international commerce to that end,

Reaffirming that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be misused for proliferation purposes,

Recalling the decisions in resolution 2118 (2013) and resolution 2298 (2016) that member States shall inform immediately the Security Council of any violation of resolution 1540 (2004), and also *recalling* the invitation in resolution 2319 (2016) for the Joint Investigative Mechanism of the United Nations and the Organization for the Prohibition of Chemical Weapons, to brief, as appropriate, the Committee established pursuant to resolution 1540 (2004), hereafter the 1540 Committee, on relevant results of its work,

Please recycle

Endorsing the 2016 Comprehensive Review of the status of the implementation of resolution 1540 (2004), and *noting* the findings and recommendations in its final report,

Noting that not all States have presented to the 1540 Committee their national reports on implementation of resolution 1540 (2004),

Stressing the need to strengthen national measures of export control of materials related to nuclear, chemical and biological weapons and their means of delivery, consistent with resolution 1540 (2004),

Further noting that the full implementation of resolution 1540 (2004) by all States, including the adoption of national laws and measures to ensure implementation of these laws, is a long-term task that will require continuous efforts at national, regional and international levels,

Recognizing the need to enhance coordination of efforts at national, regional, subregional and international levels, as appropriate, in order to strengthen a global response to the serious challenge and threat to international peace and security posed by the proliferation of weapons of mass destruction and their means of delivery,

Stressing the importance of dialogue between the 1540 Committee and Member States, including visits to States at their invitation, and also recognizing that such a dialogue has contributed to facilitating implementation of resolution 1540 (2004), inter alia by raising awareness about the importance of presenting national reports and the utility of voluntary national implementation action plans and has helped to identify assistance needs of States,

Recognizing that many States continue to require assistance in implementing resolution 1540 (2004), and *emphasizing* the importance of providing States, in response to their requests, with effective assistance that meets their needs,

Stressing the need to reinforce the role of the 1540 Committee in providing and facilitating effective assistance, including, inter alia, in the field of State capacity-building, and collaboration among States, between the 1540 Committee and States, and between the 1540 Committee and relevant international, regional and subregional organizations in assisting States to implement resolution 1540 (2004),

Acknowledging the importance of voluntary contributions made in the field of assistance by Member States and international, regional and subregional organizations, including through the United Nations Trust Fund for Global and Regional Disarmament Activities,

Endorsing the valuable interaction of the Committee with relevant international, regional, and subregional organizations, *and emphasizing* the need for coordination, as appropriate, between the Committee and those organizations,

Acknowledging the enhanced ongoing cooperation among the 1540 Committee, the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2001) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities, and the Security Council

Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism,

Acknowledging that transparency and outreach make an important contribution to enhancing confidence, fostering cooperation and raising the awareness among States, including, as appropriate, in their interaction with relevant international, regional and subregional organizations, and *also acknowledging* the positive role performed by civil society, inter alia industry and academia, could play in the effective implementation of resolution 1540 (2004), including by raising awareness, and that parliamentarians have a key role in enacting the necessary legislation to implement the obligations of the resolution,

Endorsing the work already carried out by the 1540 Committee, in accordance with its Programmes of Work, *and reaffirming* its continued support,

Bearing in mind the need to continue the consideration of the 1540 Committee's ability, consistent with its mandate, to review and facilitate advancing the implementation of the resolution,

Determined to facilitate the full and effective implementation of resolution 1540 (2004),

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* its decisions in and the requirements of resolution 1540 (2004), and *re-emphasizes* the importance for all States to implement fully and effectively that resolution;

2. *Decides* that the 1540 Committee will continue to submit to the Security Council its Programme of Work, before the end of each January, and will brief the Security Council in the first quarter of each year, *and welcomes* the continuous submission of the Annual Review on the Implementation of Resolution 1540 (2004), prepared with the assistance of the Group of Experts, within December annually;

3. *Again calls upon* all States that have not yet presented a first report on steps they have taken or intend to take to implement resolution 1540 (2004) to submit such a report to the 1540 Committee without delay, *and requests* the Committee to make available its expertise to these States, as appropriate, to facilitate the submission of such reports;

4. *Again encourages* all States that have submitted such reports to provide, when appropriate or upon the request of the 1540 Committee, additional information on their implementation of resolution 1540 (2004), including, voluntarily, on their laws and regulations and on States' effective practices;

5. *Encourages* also States to prepare on a voluntary basis national implementation action plans, with the assistance of the 1540 Committee as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit these plans to the Committee;

6. *Encourages* all States that have not yet done so to provide the 1540 Committee with a Point of Contact for Resolution 1540 (2004), and *urges* the Committee to continue to undertake initiatives to strengthen the capacity of such Points of Contact to assist on the implementation of the resolution, upon request of

States, including through the continuation on a regional basis of the Committee's Point of Contact Training Programme;

7. *Calls upon* States to take into account developments on the evolving nature of risk of proliferation and rapid advances in science and technology in their implementation of resolution 1540 (2004);

8. *Requests* the 1540 Committee to take note in its work, where relevant, of the continually evolving nature of the risks of proliferation, including the use by non-State actors of rapid advances in science, technology and international commerce for proliferation purposes, in the context of the implementation of resolution 1540 (2004);

9. *Requests* that the 1540 Committee undertake additional consideration, consistent with the report of the 2016 Comprehensive Review, of the efficiency and effectiveness of the Special Political Mission that supports the Committee, *and encourages* the Committee to report to the Security Council on the findings of this evaluation, within 2017 as appropriate;

10. *Calls upon* all States to intensify their efforts to achieve full implementation of resolution 1540 (2004), focusing, when and where appropriate, on areas where measures should be taken and strengthened;

11. *Urges* the 1540 Committee to continue to explore and develop an approach, with regard to implementation and reporting, that takes into account the specificity of States, inter alia, with respect to their ability to manufacture and export related materials, with a view to prioritizing efforts and resources where they are most needed without affecting the need for comprehensive implementation of resolution 1540 (2004);

12. *Decides* that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its Programme of Work, which includes the compilation and general examination of information on the status of States' implementation of resolution 1540 (2004) and addresses all aspects of paragraphs 1, 2 and 3 of that resolution, particularly noting the need for more attention on: enforcement measures; measures relating to biological, chemical and nuclear weapons; proliferation finance measures; accounting for and securing related materials; and national export and transhipment controls;

13. *Encourages* States, as appropriate, to control access to intangible transfers of technology and to information that could be used for weapons of mass destruction and their means of delivery;

14. *Recalls* its decision that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including by establishing appropriate control over related materials, and *calls upon* States that have not done so to start developing effective national control lists at the earliest opportunity for the implementation of resolution 1540 (2004);

15. *Recalls* its decision that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws for the prohibition of activities under paragraph 2 of resolution 1540 (2004), and *requests* that the 1540

Committee hold discussions on optimal approaches on enforcement of the indicated paragraph;

16. *Encourages* the 1540 Committee to continue to engage actively in dialogue with States, including in the context of ongoing updating of the implementation data it holds, and through visits to States, at their invitation, by the Committee;

17. *Encourages* the 1540 Committee to continue to identify and compile effective implementation best practices and, upon request by a State, to share appropriate effective best practices for implementing resolution 1540 (2004) with that State;

18. *Encourages* States that have requests for assistance to provide the 1540 Committee, as appropriate, with specific details of the assistance needed, *directs* the Committee, when possible, to provide States, upon their request, with assistance in the formulation of such requests, and further *directs* the Committee to revise its assistance template;

19. *Urges* States as well as relevant international, regional and subregional organizations to inform the 1540 Committee, as appropriate, of areas in which they are able to provide assistance, *and calls upon* States as well as such organizations, if they have not done so previously, to provide the Committee with information on their ongoing assistance programmes relevant to resolution 1540 (2004);

20. *Urges* the Committee to continue strengthening its role in facilitating technical assistance for implementation of resolution 1540 (2004), in particular by engaging actively in matching offers and requests for assistance, inter alia through a regional approach, where appropriate, as well as the holding of regional assistance conferences, which bring together States that request assistance with those offering assistance;

21. *Encourages* States to contribute funds, on a voluntary basis, to finance projects and activities, including through the United Nations Trust Fund for Global and Regional Disarmament Activities, to assist States in implementing their obligations under resolution 1540 (2004), including for implementing projects in response to assistance requests submitted directly by States to the Committee;

22. *Encourages* the Committee to develop, in collaboration with international, regional and subregional organizations, assistance projects to support States in implementing resolution 1540 (2004) in order to facilitate the prompt and direct response to assistance requests;

23. *Encourages* relevant international, regional and subregional organizations to enhance cooperation and information-sharing with the 1540 Committee, on the issues related to the implementation of resolution 1540 (2004);

24. *Calls upon* relevant international, regional and subregional organizations that have not yet done so to provide the Committee with a Point of Contact or Coordinator for Resolution 1540 (2004);

25. *Encourages also* relevant international, regional and subregional organizations, to highlight the obligations of resolution 1540 (2004) in their model

legislation and/or guidelines, where appropriate, pertaining to instruments under their mandate relevant to the resolution;

26. *Requests* the 1540 Committee to convene regular meetings, inter alia on the margins of the relevant sessions of the General Assembly, with relevant international, regional and subregional organizations to share information and experiences on their efforts to facilitate implementation of resolution 1540 (2004), thereby contributing to promoting coordination of such efforts, as appropriate;

27. *Reiterates* the need to continue to enhance ongoing cooperation among the 1540 Committee, the Security Council Committee established pursuant to resolutions 1267 (1999) 1989 (2001) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities, and the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism, including through, as appropriate, enhanced information sharing, coordination on visits to States, within their respective mandates, technical assistance and other issues of relevance to all three committees, *and again expresses* its intention to provide guidance to the committees on areas of common interest in order to better coordinate their efforts, and *decides* the three Committees will jointly brief once per year the Security Council on their cooperation;

28. *Requests* the 1540 Committee to continue to institute transparency measures and activities, inter alia by making the fullest possible use of the Committee's website and other agreed means of communication, *and further requests* the Committee to conduct regular meetings open to all Member States on the Committee's and Group's activities related to facilitating implementation of resolution 1540 (2004);

29. *Requests* the 1540 Committee to continue to organize and participate in outreach events on the implementation of resolution 1540 (2004) at the international, regional, subregional, and, as appropriate, national level, including, as appropriate, inviting parliamentarians, as well as representatives of civil society, including industry and academia and promote the refinement of these outreach efforts to focus on specific thematic and regional issues related to implementation;

30. *Encourages* the 1540 Committee to continue drawing on relevant expertise, including industry, scientific and academic communities, with, as appropriate, their States' consent, which can assist States in their implementation of resolution 1540 (2004);

31. *Decides* to remain seized of the matter.

United Nations S/RES/2326 (2016)

Security Council

Distr.: General
15 December 2016

Resolution 2326 (2016)

Adopted by the Security Council at its 7838th meeting, on 15 December 2016

The Security Council,

Recalling its previous resolutions 1996 (2011), 2046 (2012), 2057 (2012), 2109 (2013), 2132 (2013), 2155 (2014), 2187 (2014), 2206 (2015), 2223 (2015), 2241 (2015), 2252 (2015), 2302 (2016), and 2304 (2016) and statements by its President S/PRST/2014/16, S/PRST/2014/26, S/PRST/2015/9, S/PRST/2016/1, and S/PRST/2016/3,

Determining that the situation in South Sudan continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Mission in the Republic of South Sudan (UNMISS), as set out in resolution 2252 (2015), and as further set out in resolution 2304 (2016), until 16 December 2016, and *further decides* that UNMISS shall continue to include a Regional Protection Force (RPF) with the mandate set forth in resolution 2304 (2016);

2. *Authorizes* UNMISS, including the RPF, to use all necessary means to carry out its tasks;

3. *Decides* to remain actively seized of the matter.

16-22290 (E)

Please recycle

United Nations S/RES/2327 (2016)

Security Council

Distr.: General
16 December 2016

Resolution 2327 (2016)

Adopted by the Security Council at its 7840th meeting, on 16 December 2016

The Security Council,

Recalling its previous resolutions 1996 (2011), 2046 (2012), 2057 (2012), 2109 (2013), 2132 (2013), 2155 (2014), 2187 (2014), 2206 (2015), 2223 (2015), 2241 (2015), 2252 (2015), 2302 (2016), and 2304 (2016) and statements by its President S/PRST/2014/16, S/PRST/2014/26, S/PRST/2015/9, S/PRST/2016/1, and S/PRST/2016/3,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity, and national unity of the Republic of South Sudan, and *recalling* the importance of the principles of non-interference, good-neighbourliness, and regional cooperation,

Reiterating its increasingly grave alarm and concern regarding the political, security, economic, and humanitarian crisis in South Sudan, resulting from the internal Sudan People's Liberation Movement (SPLM) political dispute, and subsequent violence caused by the country's political and military leaders since December 2013, and *emphasizing* there can be no military solution to the situation in South Sudan and noting the "Agreement on the Resolution of the Conflict in the Republic of South Sudan" (the Agreement) as the framework for durable peace, reconciliation and national cohesion in South Sudan, *calling* upon all stakeholders to re-affirm their commitment to the full and timely implementation of the Agreement, *recognizing* action taken in this regard, and *encouraging* continued action,

Recalling its press statement of 18 November 2016 on the ethnic violence and the situation in South Sudan and, in this regard, *expressing deep alarm* over the escalation of ethnic violence, particularly in the Equatorias, and strongly condemning all instances of attacks against civilians, ethnically targeted killings, hate speech, and incitements to violence, and *further expressing* deep concern at the possibility that what began as a political conflict could transform into an outright ethnic war, as noted by the Special Adviser for the Prevention of Genocide, Adama Dieng,

Please recycle

Expressing deep concern at the tense and fragile security situation across the country, including armed clashes and violence involving the Sudan People's Liberation Army (SPLA) and SPLA-In Opposition (SPLA-IO), and armed groups, *condemning* in the strongest terms the fighting in Juba, South Sudan 8-11 July 2016, including attacks against civilians, United Nations personnel, premises and property, and humanitarian personnel and assets, *further condemning* the clashes that took place at the United Nations Protection of Civilians site in Malakal, South Sudan on 17-18 February 2016, and *reminding* all parties of the civilian character of Protection of Civilians sites in South Sudan,

Recalling that individuals or entities responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, may be designated for targeted sanctions pursuant to resolution 2206 (2015), 2271 (2016), 2280 (2016), and 2290 (2016), including individuals who engage in attacks against United Nations missions, international security presences, or other peacekeeping operations, or humanitarian personnel *recalling* its willingness to impose targeted sanctions,

Taking note of the decisions adopted by the Intergovernmental Authority on Development (IGAD), including the continued and collective commitment of the region in the search of lasting peace, security and stabilization in South Sudan, including through the early deployment and full operationalization of the Regional Protection Force (RPF), and *taking note* of the Transitional Government of National Unity's (TGNU) consent to deployment of such a force in the 4 September 2016 UN Security Council-TGNU Joint Communique as well as in its 30 November 2016 letter, *urging* the TGNU to implement its commitments, and *welcoming* the readiness expressed by member states in the region to increase their contribution of troops to the United Nations Mission in the Republic of South Sudan (UNMISS) for this purpose,

Stressing the primacy of the political process and, in this regard, *looking forward* to its reinvigoration and the design of a clear political strategy for the peaceful resolution of the conflict in South Sudan, based on the framework provided by the Agreement, with the support of the UN Secretary-General through the use of his good offices, in close collaboration with the African Union (AU), including its High Representative Alpha Oumar Konare and IGAD, including the Joint Monitoring and Evaluation Commission (JMEC) Chairperson Festus Mogae, to achieve a cessation of hostilities and lead the parties to an inclusive peace process and implementation of the Agreement,

Welcoming the commitment of countries in the region, the African Union Peace and Security Council, and IGAD to continue engaging with South Sudanese leaders to address the current political crisis, *encouraging* their continued proactive engagement and in this regard, *taking note of* the communiqué of the 29th Extraordinary Summit of the IGAD Heads of State and Government,

Commending the work of UNMISS, *stressing* the importance of effective engagement and liaison with local communities, as well as humanitarian actors, including through regular communication about security threats and related information, both within and outside the Protection of Civilians sites, in order to fulfil UNMISS's Protection of Civilians mandate,

Recognizing that unarmed civilian protection can often complement efforts to build a protective environment, particularly in the deterrence of sexual and gender-based violence against civilians, and encouraging UNMISS, as appropriate, and when possible, to explore how it can use civilian protection techniques to enhance its ability to protect civilians, in line with the UN Secretary-General's recommendation,

Strongly condemning the continued obstruction of UNMISS by the TGNU, including severe restrictions on freedom of movement and constraints on mission operations which may be in violation of its obligations under the Status of Forces Agreement (SOFA),

Strongly condemning all human rights violations and abuses and violations of international humanitarian law, including those involving extrajudicial killings, ethnically targeted violence, rape and other forms of sexual and gender-based violence, recruitment and use of children, enforced disappearances, arbitrary arrests and detention, violence aimed at spreading terror among the civilian population, targeting of members of civil society, and attacks on schools, places of worship, hospitals, and United Nations and associated personnel, by all parties, including armed groups and national security forces, as well as the incitement to commit such abuses and violations, *further condemning* harassment and targeting of civil society, humanitarian personnel and journalists, and *emphasizing* that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable, and that South Sudan's TGNU bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity,

Expressing grave concern at the findings of the Special Representative of the Secretary-General on Sexual Violence in Conflict of the systematic and widespread use of sexual violence as a tactic by parties to the conflict against the civilian population, particularly against women and girls in South Sudan,

Stressing the increasingly urgent need to end impunity in South Sudan and to bring to justice all perpetrators of such crimes, and *further stressing* the importance of accountability, reconciliation and healing in ending impunity and ensuring a sustainable peace,

Further condemning the use of media to broadcast hate speech and transmit messages instigating violence against a particular ethnic group, a practice that has the potential to play a significant role in promoting mass violence and exacerbating conflict, *calling* on the Government of South Sudan to immediately condemn and counter increasing hate speech and ethnic violence and to promote reconciliation among its people, including through a process of justice and accountability,

Taking note with interest of the reports on the human rights situation in South Sudan issued by UNMISS and the Secretary-General, as well as the report of the AU Commission of Inquiry on South Sudan and the Separate Opinion, *expressing* grave concern that according to some reports, including the AU Commission of Inquiry report on South Sudan, released on 27 October 2015, there were reasonable grounds to believe that war crimes and crimes against humanity had been committed, *emphasizing its hope* that these and other credible reporting will be duly considered by any transitional justice and reconciliation mechanisms for South Sudan including

those established in the Agreement, *stressing* the importance of collection and preservation of evidence for eventual use by the Hybrid Court for South Sudan, and *encouraging* efforts in this regard,

Expressing serious and urgent concern over the approximately 2.94 million displaced persons and deepening humanitarian crisis, including an estimated 4.8 million that face severe food insecurity and six million in need of assistance, and that half of the country's children are out of school, *stressing* the responsibility borne by all parties to the conflict for the immense suffering of the people of South Sudan, including the destruction or damage to livelihoods and productive assets, and *commending* United Nations humanitarian agencies, partners, and donors for their efforts to provide urgent and coordinated support to the population,

Expressing concern at the obstructions by all parties to civilians' movement and to humanitarian actors' movement to reach civilians in need of assistance, and *recalling the need for* all parties to the conflict to allow and facilitate, in accordance with relevant provisions of international law and United Nations guiding principles of humanitarian assistance, including humanity, impartiality, neutrality, and independence, the full, safe and unhindered access of relief personnel, equipment and supplies and timely delivery of humanitarian assistance, to all those in need, in particular to internally displaced persons (IDPs), and refugees,

Condemning all attacks against humanitarian personnel and facilities that resulted in the deaths of at least 67 personnel since December 2013, including the attack on the Terrain compound on 11 July 2016 and attacks against medical personnel and hospitals, *noting with alarm* the increasing trend of harassment and intimidation of humanitarian personnel, and *recalling* that attacks against humanitarian personnel and objects indispensable to the survival of the civilian population may amount to violations of international humanitarian law,

Expressing its deep appreciation for the actions taken by UNMISS peacekeepers and Troop- and Police-Contributing Countries to protect civilians, including foreign nationals, under threat of physical violence and to stabilize the security situation within and beyond UNMISS sites,

Recognizing the significant resource and capacity challenges the Mission faces in implementing its mandate, *expressing appreciation* for UNMISS's ongoing efforts to ensure the safety of IDPs seeking protection on its sites, while *recognizing* the importance of finding sustainable solutions for IDPs in keeping with the Guiding Principles on Internal Displacement, and *underlining* in this regard the need to extend its presence, including through proactive deployment and patrolling, to areas of displacement, return, and local integration,

Emphasizing the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding,

Emphasizing that persistent barriers to full implementation of resolution 1325 (2000), and subsequent resolutions on women, peace, and security including 2242 (2015), will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making,

Expressing grave concern regarding the threats made to oil installations, petroleum companies and their employees, and urging all parties to ensure the security of economic infrastructure,

Recalling its resolution 2117 (2013) and *expressing grave concern* at the threat to peace and security in South Sudan arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

Reiterating the importance of UNMISS ensuring the security of its air operations in South Sudan,

Strongly condemning the attacks by government and opposition forces and other groups on United Nations and IGAD personnel and facilities, including the December 2012 downing of a United Nations helicopter by the SPLA, the April 2013 attack on a United Nations convoy, the December 2013 attack on the UNMISS camp in Akobo, the August 2014 shooting down of a United Nations helicopter by unidentified armed groups, the August 2014 arrest and detention of an IGAD monitoring and verification team, the October 2015 seizure and detention of UNMISS personnel and equipment in Upper Nile State by opposition forces, the February 2016 attack on the Malakal protection of civilians site, the July 2016 attack on the Juba protection of civilians site, and the Terrain Compound attack, the detention and kidnappings of United Nations and associated personnel, the repeated attacks on the UNMISS camps in Bor, Bentiu, Malakal and Melut, and the disappearance purportedly caused by SPLA forces, and deaths of three United Nations-affiliated national staff and one national contractor in Upper Nile State, and, *calling upon* the Government of South Sudan to complete its investigations of these attacks in a swift and thorough manner and to hold those responsible to account,

Taking note of the letters from the Secretary-General per paragraph 16 of resolution 2304 (2016) and the 10 November 2016 Secretary-General's Reports (S/2016/950 and S/2016/951) and the recommendations contained therein,

Determining that the situation in South Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that all parties immediately end the fighting throughout South Sudan, and *further demands that* South Sudan's leaders implement the permanent ceasefire declared in the Agreement and ceasefires for which they respectively called on 11 July 2016, and ensure that subsequent decrees and orders directing their commanders control their forces and protect civilians and their property are fully implemented;

2. *Demands* that the TGNU of South Sudan comply with the obligations set out in the SOFA between the Government of South Sudan and the United Nations, and immediately cease obstructing UNMISS in the performance of its mandate, and *further demands* the TGNU immediately cease obstructing international and national humanitarian actors from assisting civilians, and facilitate freedom of movement for the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) and *calls on* the TGNU to take action, to deter, and to hold

those responsible to account for any hostile or other actions that impede UNMISS or international and national humanitarian actors;

3. *Expresses its intention* to consider all appropriate measures, as demonstrated by adoption of resolutions 2206 (2015) and 2290 (2016), against those who take actions that undermine the peace, stability, and security of South Sudan, *recalls* the designation criteria detailed in paragraph 7 of resolution 2206 (2015), *stresses* the sanctity of United Nations protection sites, and *specifically underscores* that individuals or entities that are responsible or complicit in, or have engaged in, directly or indirectly, attacks against UNMISS personnel and premises and any humanitarian personnel, may meet the designation criteria;

4. *Takes note* of the TGNU's announcement to conduct an inclusive national dialogue, *strongly urges* all parties to engage in an open and fully inclusive national political dialogue seeking to implement lasting peace, reconciliation and good governance, including through the full and effective participation of youth, women, diverse communities, faith groups, civil society, and all political parties, *calls upon* all parties to ensure women's full and effective representation and leadership in all conflict resolution and peacebuilding efforts including through support to women's civil society organizations, and *encourages* the efforts of the JMEC, IGAD, the AU, and the United Nations to support implementation of the Agreement;

5. *Decides* to extend the mandate of UNMISS until 15 December 2017;

6. *Decides* to increase the overall force levels of UNMISS by maintaining a troop ceiling of 17,000 troops, including 4,000 for the Regional Protection Force, and increasing the police ceiling to 2,101 police personnel, including individual police officers, formed police units and 78 corrections officers, and *requests* the Secretary-General to take the necessary steps to expedite force and asset generation;

7. *Decides* that the mandate of UNMISS shall be as follows, and *authorizes* UNMISS to use all necessary means to perform the following tasks:

(a) *Protection of civilians*:

(i) To protect civilians under threat of physical violence, irrespective of the source of such violence, within its capacity and areas of deployment, with specific protection for women and children, including through the continued use of the Mission's Child Protection and Women Protection Advisers;

(ii) To deter violence against civilians, including foreign nationals, especially through proactive deployment, active patrolling with particular attention to IDPs, including, but not limited to, those in protection sites and refugee camps, humanitarian personnel and human rights defenders, and identification of threats and attacks against civilians, including through regular interaction with civilians and working closely with humanitarian, human rights and development organizations, in areas at high risk of conflict including, as appropriate, schools, places of worship, hospitals, and the oil installations, in particular when the Government of the Republic of South Sudan is unable or failing to provide such security;

(iii) To implement a mission-wide early warning strategy, including a coordinated approach to information gathering, monitoring, verification, early warning and dissemination, and response mechanisms, including response

mechanisms to threats and attacks against civilians that may involve violations and abuses of human rights or violations of international humanitarian law, as well as to prepare for further potential attacks on United Nations personnel and facilities;

(iv) To maintain public safety and security of and within UNMISS protection of civilians sites;

(v) To deter and prevent sexual and gender-based violence within its capacity and areas of deployment, as highlighted in paragraph 41 of the Special Report of the Secretary-General of 10 November 2016 (S/2016/951);

(vi) To exercise good offices, confidence-building, and facilitation in support of the mission's protection strategy, especially in regard to women and children, including to facilitate the prevention, mitigation and resolution of inter-communal conflict in order to foster sustainable local and national reconciliation as an essential part of preventing violence and long-term State-building activity;

(vii) To foster a secure environment for the eventual safe and voluntary return of IDPs and refugees including through monitoring of, ensuring respect for human rights by, and where compatible and in strict compliance with the United Nations Human Rights Due Diligence Policy (HRDDP), coordination with police services and civil society actors in relevant and protection-focused activities, such as sensitization to issues of sexual and gender-based violence, in order to strengthen protection of civilians;

(b) *Monitoring, and investigating human rights*:

(i) To monitor, investigate, verify, and report publicly and regularly on abuses and violations of human rights and violations of international humanitarian law, including those that may amount to war crimes or crimes against humanity;

(ii) To monitor, investigate, verify and report specifically and publicly on violations and abuses committed against children and women, including those involving all forms of sexual and gender-based violence in armed conflict by accelerating the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence and by strengthening the monitoring and reporting mechanism for violations and abuses against children;

(iii) To monitor, investigate and report on incidents of hate speech and incitement to violence in cooperation with the UN Special Adviser on the Prevention of Genocide;

(iv) To coordinate with, and provide technical support to international, regional, and national mechanisms engaged in monitoring, investigating, and reporting human rights violations, as appropriate;

(c) *Creating the conditions conducive to the delivery of humanitarian assistance*:

(i) To contribute, in close coordination with humanitarian actors, to the creation of security conditions conducive to the delivery of humanitarian

assistance, so as to allow, the rapid, safe and unhindered access of relief personnel to all those in need in South Sudan and timely delivery of humanitarian assistance, in particular to IDPs and refugees, *recalling* the need for compliance with the relevant provisions of international law and respect for the UN guiding principles of humanitarian assistance, including humanity, impartiality, neutrality, and independence;

(ii) To ensure the security and freedom of movement of United Nations and associated personnel where appropriate, and to ensure the security of its installations and equipment necessary for implementation of mandated tasks;

(d) *Supporting the Implementation of the Agreement*:

To carry out, within its capabilities, the following tasks in support of the implementation of the Agreement:

(i) To support the planning and establishment of agreed transitional security arrangements, including support to the Joint Operations Centre;

(ii) To support, in coordination with the United Nations Country Team, as appropriate, the work of a National Constitutional Amendment Committee (NCAC) and the incorporation of the Agreement into the Transitional Constitution of the Republic of South Sudan, upon request of the parties to the Agreement;

(iii) To support, in coordination with the United Nations Country Team, as requested by the TGNU, the permanent constitution-making process, consistent with the Agreement, including providing technical assistance to the National Constitutional Review Commission for the drafting process and supporting public consultations during the constitution-making process;

(iv) To assist the parties to develop a strategy to address disarmament, demobilization, reintegration (DDR) and security sector reform (SSR) activities;

(v) To participate in and support the CTSAMM in implementation of its mandate to monitor the separation, assembly and cantonment of forces consistent with the Agreement, including to provide support for mobile and dedicated fixed site security;

(vi) To actively participate in and support the work of the JMEC;

(vii) To advise and assist, as appropriate, the National Elections Commission, in coordination with members of the United Nations Country Team, consistent with the Agreement;

(viii) To support the establishment and operationalization of an inclusive Joint Integrated Police (JIP), in coordination with members of the UN Country Team, by providing training support and advisory assistance, consistent with the HRDDP, including for the development and implementation of a training curriculum and strategic planning;

8. *Recalls* its resolution 2086 (2013) and *reaffirms* the basic principles of peacekeeping, as set forth in Presidential Statement S/PRST/2015/22, including consent of the parties, impartiality, and non-use of force, except in self-defence and

defence of the mandate, *recognizes* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned;

9. To advance in cooperation with the TGNU the safety and security of the people of South Sudan and to create an enabling environment for implementation of the Agreement, *decides* that UNMISS shall continue to include a Regional Protection Force (RPF), and *authorizes* the RPF to use all necessary means, including undertaking robust action where necessary and actively patrolling, to accomplish the RPF mandate, to:

(i) Facilitate the conditions for safe and free movement into, out of, and around Juba, including through protecting the means of ingress and egress from the city and major lines of communication and transport within Juba;

(ii) Protect the airport to ensure the airport remains operational, and protect key facilities in Juba essential to the well-being of the people of Juba, as identified by the Special Representative of the Secretary-General;

(iii) Promptly and effectively engage any actor that is credibly found to be preparing attacks, or engages in attacks, against United Nations protection of civilians sites, other United Nations premises, United Nations personnel, international and national humanitarian actors, or civilians;

10. *Affirms* the Security Council's intention to consider appropriate measures, to address the evolving situation in South Sudan, including those measures described in the Annex of resolution 2304 (2016), in case of political or operational impediments to operationalizing the RPF or obstructions to UNMISS in performance of its mandate due to the actions of the TGNU and all other parties to the conflict in South Sudan;

11. *Emphasizes* that protection of civilians must be given priority in decisions about the use of available capacity and resources within the mission, *stresses* that UNMISS's mandate as set out in paragraphs 7 and 9 above includes authority to use all necessary means to protect United Nations personnel, installations and equipment to deter violence especially through proactive deployment and active patrolling, to protect civilians from threats, regardless of source, to create conditions conducive to delivery of humanitarian assistance by international and national actors, and support implementation of the Agreement, and *stresses* that such actions include, but are not limited to, within UNMISS's capacity and areas of deployment, defending protection of civilians sites, establishing areas around the sites that are not used for hostile purposes by any forces, addressing threats to the sites, searching individuals attempting to enter the sites, and seizing weapons from those inside or attempting to enter the sites, removing from and denying entry of armed actors to the protection of civilians sites;

12. *Requests* and *encourages* the Special Representative of the Secretary-General to direct the operations of an integrated UNMISS and coordinate all activities of the United Nations system in the Republic of South Sudan, and to exercise his or her good offices to lead the UN system in South Sudan in assisting the JMEC, the AU and other actors, as well as the parties, with implementation of the Agreement and to promote peace and reconciliation, *reaffirms* in this regard the critical role that the UN plays, in coordination with regional organizations and other actors, to advance political dialogue between parties and contribute to achieving a

cessation of hostilities and lead the parties to an inclusive peace process and to support the TGNU's implementation of an inclusive Agreement, and to further strengthen its work to this end with the Chair of the JMEC and the AU High Representative in South Sudan and in the region;

13. *Requests* the Secretary-General to prioritize the complete deployment of UNMISS personnel to the authorized military and police strength, including tactical military helicopters, unarmed unmanned aerial systems, and necessary enablers for the RPF;

14. *Requests* UNMISS to take fully into account gender considerations as a crosscutting issue throughout its mandate, reaffirms the importance of appropriate gender expertise and training in all missions mandated by the Security Council, and further encourages Troop- and Police-contributing Countries to take measures to increase the deployment of women in the military, police, and civilian components of the Mission;

15. *Requests* UNMISS to continue to intensify its presence and active patrolling in areas of high risk of conflict, high concentrations of IDPs and refugees, including as guided by its early warning strategy, in all areas, and key routes for population movement, to extend its presence, including through proactive deployment and patrolling, to areas of displacement, return, resettlement, and reintegration, in order to foster a secure environment for the eventual safe and voluntary return of IDPs and refugees, and to conduct regular reviews of its geographic deployment to ensure that its forces are best placed to fulfil its mandate;

16. *Recalls* resolution 2272 (2016) and *further requests* the Secretary-General to take the necessary measures to ensure full compliance of UNMISS with the United Nations zero tolerance policy on sexual exploitation and abuse and to keep the Council fully informed through his regular country-specific reports to the Council about UNMISS' progress in this regard, including with respect to the implementation of resolution 2272 (2016);

17. *Encourages* UNMISS to ensure that any support provided to non-United Nations security forces is provided in strict compliance with the HRDDP on United Nations Support to non-United Nations security forces;

18. *Requests* UNMISS to assist the Committee, within existing resources, established pursuant to paragraph 16 of resolution 2206 (2015) and the Panel of Experts established by the same resolution; *further urges* all parties and Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts and further urges all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate;

19. *Condemns* in the strongest terms attacks on and threats made to UNMISS personnel and United Nations facilities, as well as those of IGAD, *stresses* that such attacks may constitute violations of the SOFA and/or war crimes, *demands* that all parties respect the inviolability of United Nations premises and immediately desist and refrain from any violence against those gathered at United Nations facilities, *reiterates* that the TGNU is bound by the terms of the SOFA, and *further demands*

the immediate and safe release of detained and kidnapped United Nations and associated personnel;

20. *Condemns* the clash that took place in Malakal in February 2016 and the fighting in Juba in July 2016, and *urges* the UN to continuously incorporate lessons learned to conduct reforms across UNMISS to better enable it to implement its mandate, in particular regarding the protection of civilians, and to improve Mission chain of command, increase the effectiveness of UNMISS operations, strengthen safety and security of personnel, and enhance UNMISS' ability to manage complex situations;

21. *Reiterates its request* that UNMISS continue to take measures, as appropriate, to ensure the security of its air operations in South Sudan and report thereon to the Council;

22. *Condemns* in the strongest terms attacks on and looting of humanitarian aid, including food and medicine, and premises, including hospitals and warehouses, and *demands* that all parties allow, in accordance with relevant provisions of international law and United Nations guiding principles of emergency humanitarian assistance, including humanity, impartiality, neutrality, and independence, the rapid, safe and unhindered access of relief personnel, equipment and supplies, and timely delivery of humanitarian assistance, to all those in need throughout South Sudan in particular to IDPs and refugees and stresses that any returns or other durable solutions for IDPs or refugees must be undertaken on a voluntary and informed basis in conditions of dignity and safety;

23. *Further demands* that all parties immediately cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, including rape and other forms of sexual and gender-based violence, and hold perpetrators accountable, in order to break the prevailing cycle of impunity;

24. *Condemns* all violations of applicable international law, including international humanitarian law and violations and abuses of international human rights committed by all parties to the conflict, in particular against children, and *strongly urges* parties to implement conclusions and commitments as described in paragraph 25 of resolution 2252 (2016) to end violations and abuses against children, including the immediate release of all children in their ranks;

25. *Strongly urges* the SPLA, SPLA-IO, and other armed groups to prevent further commission of sexual violence, *urges* the TGNU and the SPLA/IO to implement the joint and unilateral commitments and action plans they have made on preventing conflict-related sexual violence with focus on prevention, accountability, and enhancing assistance to victims, and *strongly urges* SPLA leadership to issue specific command orders regarding prevention of conflict-related sexual violence, and *demands* the TGNU show concrete steps to hold perpetrators within their ranks accountable for crimes of sexual violence;

26. *Underscores* that truth-seeking and reconciliation is essential for achieving peace in South Sudan and in this regard *stresses* that the Commission of Truth, Reconciliation and Healing, as stipulated in the Agreement, is a critical part of the peacebuilding process in South Sudan, to spearhead efforts to achieve national cohesion, promote peace, national reconciliation and healing;

27. *Takes note* of the steps taken by the African Union towards the setting up of the Hybrid Court for South Sudan as provided for under Chapter V of the Agreement, as well as the work done to date by the UN, *welcomes* the African Union's formal invitation for the UN to provide technical assistance towards the setting up of the Hybrid Court for South Sudan, and *requests* the Secretary-General to continue to make available technical assistance to the Commission of the African Union and to the TGNU in setting up the Hybrid Court for South Sudan and for the implementation of other aspects of Chapter V of the Agreement, including with regard to the establishment of the Commission for Truth, Reconciliation, and Healing;

28. *Calls upon* the Government of South Sudan to move forward expeditiously and transparently to complete the ongoing investigations of allegations of human rights violations and abuses in a manner consistent with its international obligations, and encourages it to release the reports of those investigations;

29. *Further calls upon* the Government of South Sudan, while taking note of paragraph 3.2.2 of Chapter V of the Agreement, to hold to account all those responsible for violations and abuses of human rights and violations of international humanitarian law, and to ensure that all victims of sexual violence have equal protection under the law and equal access to justice, and to safeguard equal respect for the rights of women and girls in these processes, and *notes* that implementing holistic transitional justice measures, including accountability, truth-seeking and reparations, are key to healing and reconciliation;

30. *Condemns* attacks on oil installations, petroleum companies and their employees, and any fighting around these facilities, and *urges* all parties to ensure the security of economic infrastructure;

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31. *Requests* that the Secretary-General provide detailed information within 30 days on force generation, restructuring of the UNMISS force, logistical support and enablers, and civilian personnel to implement the mandate, as well as whether the TGNU has maintained its consent in principle to deployment of the RPF and not imposed any political or operational impediments to operationalizing the RPF or obstructed UNMISS in the performance of its mandate, and *requests* the Secretary-General to review needs on the ground, and provide an updated assessment of the RPF's operations, deployment, and future requirements, as well as any political or operational impediments to operationalizing the RPF and obstructions to UNMISS in performance of its mandate, within 30 days after the adoption of this resolution, and every 30 days thereafter;

32. *Requests* the Secretary-General to report to the Council on implementation of the UNMISS mandate including UNMISS' RPF as well as to report on progress in implementing the HRDDP per paragraph 17 above, an update on how UNMISS is working toward fulfilling its protection of civilian duties, including but not limited to new patrol areas and proactive deployment per paragraph 15 above, and the consideration of gender as cross cutting through the mandate per paragraph 14 above, and to present the recommendations on the steps to adapt UNMISS to the situation on the ground and to increase efficiency of the

implementation of its mandate in a same comprehensive written report to be submitted within 90 days of the date of adoption of this resolution, and every 90 days thereafter;

33. *Recalls* the paragraph 6 of resolution 2304 (2016), *requests* the Secretary-General to continue consulting with Troop- and Police- contributing countries, to enhance the safety and security of UNMISS's personnel to enable UNMISS to execute effectively its mandate in a complex security environment, and *requests* that the Secretary-General report in his regular reports to the Council on steps taken to enhance the safety and security of UN personnel, as well as report on reforms to better enable UNMISS to implement its mandate, including improving chain of command, increasing effectiveness of UNMISS operations, enhancing UNMISS' ability to manage complex situations, per paragraph 18 above;

34. *Requests* the Secretary-General to provide within 6 months of adoption of this resolution a review of progress made by the parties in ceasing hostilities, returning to the path of dialogue, and achieving inclusiveness within the government, as well as recommend any relevant adjustments to the UNMISS mandate;

35. *Requests* the Secretary-General to report, through his regular 90-day reports, on the technical assistance provided consistent with paragraph 27 above, *invites* the African Union to share information on progress made in the establishment of the Hybrid Court for South Sudan, with the Secretary-General to inform his report, and *expresses* the Security Council's intention upon receipt of the Secretary-General's reports to assess the work that has been done in the establishment of the Hybrid Court in line with international standards;

36. *Decides* to remain seized of the matter.

United Nations S/RES/2328 (2016)

Security Council

Distr.: General
19 December 2016

Resolution 2328 (2016)

Adopted by the Security Council at its 7841st meeting, on 19 December 2016

The Security Council,

Recalling all its relevant resolutions, especially 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015) and 2286 (2016),

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Alarmed by the continued deterioration of the devastating humanitarian situation in Aleppo and by the fact that urgent humanitarian evacuations and assistance are now needed by a large number of Aleppo inhabitants,

Recalling the need for all parties to respect the relevant provisions of international humanitarian law and the United Nations guiding principles of humanitarian emergency assistance,

1. *Takes note* of the efforts to carry out evacuations of civilians and fighters from the districts of the city of Aleppo affected by the conflict;

2. *Stresses* that these evacuations must be conducted in accordance with international humanitarian law and principles and *emphasizes* that the evacuations of civilians must be voluntary and to final destinations of their choice, and protection must be provided to all civilians who choose or who have been forced to be evacuated and those who opt to remain in their homes;

3. *Requests* the United Nations and other relevant institutions to carry out adequate, neutral monitoring and direct observation on evacuations from the eastern districts of Aleppo and other districts of the city, and to report as appropriate thereon, to ensure further deployment of staff for these purposes as needed and *demands* all parties to provide these monitors with safe, immediate and unimpeded access;

4. *Stresses* the importance to ensure the voluntary, safe and dignified passage of all civilians from the eastern districts of Aleppo or other areas, under the monitoring of and coordination by the United Nations and other relevant institutions, to a destination of their choice; *stresses* that in such circumstances,

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priority should be given to the most seriously wounded people and the most vulnerable and calls on all the parties to cooperate with the United Nations in this regard;

5. *Demands* that all parties allow complete, immediate, unconditional, safe and unhindered access for the United Nations and its implementing partners, in order to ensure that humanitarian assistance reaches people through the most direct route in order to meet basic needs, including the provision of medical care, consistent with the provisions of its resolution 2258 (2015) for the whole of Syria and respect and protect all civilians across Aleppo and throughout Syria; *stresses* that all parties must respect their obligations under international humanitarian law and, in particular, to respect and protect civilians and civilian objects;

6 *Calls* on all parties to respect and protect all medical and humanitarian personnel, their means of transport and equipment, as well as hospitals and other medical facilities throughout the country, consistent with its resolution 2286 (2016);

7. *Requests* the Secretary General to take urgent steps to make arrangements, including security arrangements in consultation with interested parties, to allow the observation by the United Nations and other relevant institutions of the well-being of civilians, as well as the full respect of international humanitarian law, inside the eastern districts of the city of Aleppo; notify the Security Council about these arrangements and to carry out the above mentioned activity immediately thereupon;

8. *Further requests* the Secretary General to report to the Security Council on the implementation of this resolution, including by the parties on the ground, within 5 days of adoption of this resolution;

9. *Decides* to remain actively seized of the matter.

United Nations S/RES/2329 (2016)

Security Council

Distr.: General
19 December 2016

Resolution 2329 (2016)

Adopted by the Security Council at its 7842nd meeting, on 19 December 2016

The Security Council,

Reaffirming its determination to combat impunity for all those responsible for serious international crimes and the necessity of all persons indicted by the International Tribunal for the former Yugoslavia ("ICTY") being brought to justice,

Recalling its resolutions 827 (1993) of 25 May 1993, 1503 (2003) of 28 August 2003, 1534 (2004) of 26 March 2004, 1966 (2010) of 22 December 2010, 2256 (2015) of 22 December 2015 and 2306 (2016) of 6 September 2016,

Recalling the appointment of Judge Burton Hall by the Secretary-General as a judge of the ICTY to be assigned on an ad hoc and temporary basis to the Appeals Chamber,

Taking note of the letter to the President of the Council from the Secretary-General dated 11 November 2016 (S/2016/959), attaching a letter from the President of the ICTY dated 4 November 2016,

Taking into account the assessment by the ICTY in its Completion Strategy Report (S/2016/976), and the trial and appeal schedules,

Noting the concerns expressed by the President of the ICTY about staffing, and *reaffirming* that staff retention is essential for the most expeditious completion of the ICTY's work,

Having regard to Article 16 of the Statute of the ICTY,

Having considered the nomination by the Secretary-General to reappoint Mr. Serge Brammertz as Prosecutor of the ICTY (S/2016/959),

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* its request to the ICTY to complete its work and facilitate the closure of the Tribunal as expeditiously as possible with the aim of completing the transition to the International Residual Mechanism for Criminal Tribunals ("the Mechanism") and, in light of resolution 1966 (2010), to redouble its efforts to

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review its projected case completion dates with a view towards shortening them as appropriate and to prevent any additional delays;

2. *Takes note* of the commitment of the ICTY to complete its judicial work no later than 30 November 2017;

3. *Takes note* of the request of the President of the ICTY for a final extension of the terms of office of the permanent judges of the ICTY, until 30 November 2017 or until the completion of the cases to which they are or will be assigned, if sooner, and *strongly emphasizes* that the following extensions and reappointment should be final;

4. *Decides* under this condition:

(a) To extend the terms of office of the following permanent judges of the ICTY, who are members of the Trial Chamber and the Appeals Chamber, until 30 November 2017 or until the completion of the cases to which they are or will be assigned, if sooner:

Carmel Agius (Malta)
Liu Daqun (China)
Christoph Flügge (Germany)
Theodor Meron (United States of America)
Bakone Justice Moloto (South Africa)
Alphons Orie (The Netherlands)
Fausto Pocar (Italy)

(b) To reappoint Mr. Serge Brammertz as Prosecutor of the ICTY, notwithstanding the provisions of Article 16, paragraph 4, of the Statute of the ICTY related to the length of the term of office of the Prosecutor, for a term with effect from 1 January 2017 until 30 November 2017, which is subject to earlier termination by the Security Council upon the completion of the work of the ICTY;

5. *Decides* to extend the term of office of Judge Carmel Agius as President of the ICTY until 31 December 2017 or until one month after the completion of the cases referred to in paragraph 4 above, if sooner;

6. *Underlines* that States should cooperate fully with the ICTY, as well as with the Mechanism;

7. *Commends* the Office of Internal Oversight Services (OIOS) for the evaluation and recommendations made pursuant to resolution 2256 (2015), issued in the Report of the OIOS on Evaluation of the Methods and Work of the ICTY (S/2016/441), and *encourages* the ICTY to continue reporting on its implementation in its next six-monthly report to the Council on progress towards implementation of the ICTY Completion Strategy, without prejudice to the primacy given to the completion of its work;

8. *Welcomes* the adoption of the "Code of Professional Conduct for the Judges of the Tribunal", and *emphasizes* the importance of developing a disciplinary mechanism for judges;

9. *Decides* to remain seized of the matter.

United Nations S/RES/2330 (2016)

Security Council

Distr.: General
19 December 2016

Resolution 2330 (2016)

Adopted by the Security Council at its 7843rd meeting, on 19 December 2016

The Security Council,

Noting with concern that the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) of 7 December 2016 (S/2016/1037) and also reaffirming its resolution 1308 (2000) of 17 July 2000,

Stressing that both parties must abide by the terms of the 1974 Disengagement of Forces Agreement between Israel and the Syrian Arab Republic and scrupulously observe the ceasefire,

Concurring with the Secretary-General's findings that the ongoing military activities conducted by any actor in the area of separation continue to have the potential to escalate tensions between Israel and the Syrian Arab Republic, jeopardize the ceasefire between the two countries, and pose a risk to the local civilian population and United Nations personnel on the ground,

Expressing grave concern at all violations of the Disengagement of Forces Agreement,

Stressing that there should be no military forces in the area of separation other than those of UNDOF,

Strongly condemning the continued fighting in the area of separation, *calling* on all parties to the Syrian domestic conflict to cease military actions in the UNDOF area of operations and to respect international humanitarian law,

Condemning the use of heavy weapons by both the Syrian armed forces and armed groups in the ongoing Syrian conflict in the area of separation, including the use of tanks by the Syrian armed forces and opposition during clashes,

Echoing the Secretary-General's call upon all parties to the Syrian domestic conflict to cease military actions throughout the country, including in the UNDOF area of operations,

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Reaffirming its readiness to consider listing individuals, groups, undertakings, and entities providing support to the Islamic State of Iraq in the Levant (ISIL, also known as Da'esh) or to the Al-Nusra Front, including those who are financing, arming, planning, or recruiting for ISIL or the Al-Nusra Front and all other individuals, groups, undertakings, and entities associated with ISIL and Al-Qaida as listed on the ISIL (Da'esh) and Al-Qaida Sanctions List, including those participating in or otherwise supporting attacks against UNDOF peacekeepers,

Recognizing the necessity of efforts to flexibly adjust UNDOF's posture on a temporary basis to minimize the security risk to UNDOF personnel as UNDOF continues to implement its mandate, while emphasizing that the ultimate goal is for the peacekeepers to return to their positions in UNDOF's area of operations as soon as practicable,

Emphasizing the importance of Security Council and troop-contributing countries having access to reports and information related to UNDOF's current temporary configuration, and reinforcing that such information assists the Security Council with evaluating, mandating, and reviewing UNDOF and with effective consultation with troop-contributing countries,

Underscoring the need for UNDOF to have at its disposal all necessary means and resources to carry out its mandate safely and securely, including technology and equipment to enhance its observation of the area of separation and the ceasefire line, and to improve force protection, as appropriate, and *recalling* that the theft of United Nations weapons and ammunition, vehicles and other assets, and the looting and destruction of United Nations facilities, are unacceptable,

Expressing its profound appreciation to UNDOF's military and civilian personnel, including those from Observer Group Golan, for their service in an increasingly challenging operating environment, *underscoring* the important contribution UNDOF's continued presence makes to peace and security in the Middle East, *welcoming* steps taken to enhance the safety and security of UNDOF, including Observer Group Golan, personnel, and *stressing* the need for continued vigilance to ensure the safety and security of UNDOF and Observer Group Golan personnel,

Strongly condemning incidents threatening the safety and security of United Nations personnel,

Expressing its appreciation to UNDOF, including Observer Group Golan, for the efforts made to upgrade and expand its positions on Mount Hermon, including the establishment of new positions,

Taking note of the Secretary-General's plan for UNDOF to return to vacated positions, starting with Camp Faouar on the Bravo side, based on a continuous assessment of security in the area of separation and its surroundings, and continued discussion and coordination with the parties,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Stresses* the obligation on both parties to scrupulously and fully respect the terms of the 1974 Disengagement of Forces Agreement, *calls on* the parties to exercise maximum restraint and prevent any breaches of the ceasefire and the area

of separation, *encourages* the parties to take advantage of UNDOF's liaison function regularly to address issues of mutual concern, as appropriate, and *underscores* that there should be no military activity of any kind in the area of separation, including military operations by the Syrian Arab Armed Forces;

3. *Underlines* that there should be no military activity of the armed opposition groups in the area of separation, and *urges* Member States to convey strongly to the Syrian armed opposition groups in UNDOF's area of operations to halt all activities that endanger United Nations peacekeepers on the ground and to accord the United Nations personnel on the ground the freedom to carry out their mandate safely and securely;

4. *Calls on* all groups other than UNDOF to abandon all UNDOF positions and the Quneitra crossing point, and return the peacekeepers' vehicles, weapons, and other equipment;

5. *Calls on* all parties to cooperate fully with the operations of UNDOF, to respect its privileges and immunities and to ensure its freedom of movement, as well as the security of and unhindered and immediate access for the United Nations personnel carrying out their mandate, including the unimpeded delivery of UNDOF equipment and the temporary use of alternative ports of entry and departure, as required, to ensure safe and secure troop rotation and resupply activities, in conformity with existing agreements, and urges prompt reporting by the Secretary-General to the Security Council and troop-contributing countries of any actions that impede UNDOF's ability to fulfil its mandate;

6. *Commends* the establishment of a new temporary crossing point for UNDOF personnel between the Alpha and Bravo sides for contingency situations, in the absence of the established crossing at Quneitra, and in this regard, *calls on* the parties to constructively engage with UNDOF, with the understanding that the Quneitra crossing will be re-opened as soon as security conditions permit;

7. *Welcomes* the return of an initial UNDOF contingent to Camp Faouar, as well as the cooperation of the parties to facilitate this return, together with continued efforts to plan for UNDOF's expeditious return to vacated positions in the area of separation, including the provision of adequate force protection, based on a continuous assessment of security in the area;

8. *Underscores* the importance of deploying appropriate technology, including counter-improvised explosive device (IED) capabilities and a sense and warn system, to ensure the safety and security of UNDOF personnel and equipment, following appropriate consultations with the parties;

9. *Encourages* the parties to the Disengagement Agreement to engage constructively to make the necessary temporary arrangements with UNDOF for the force's return to vacated positions, taking into account existing agreements;

10. *Welcomes* the efforts being undertaken by UNDOF to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, *requests* the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and *urges* troop-contributing countries

to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

11. *Decides* to renew the mandate of UNDOF for a period of six months, that is, until 30 June 2017, and *requests* the Secretary-General to ensure that UNDOF has the required capacity and resources to fulfil the mandate in a safe and secure way;

12. *Requests* the Secretary-General to report every 90 days on developments in the situation and the measures taken to implement resolution 338 (1973).

United Nations S/RES/2331 (2016)

Security Council

Distr.: General
20 December 2016

Resolution 2331 (2016)

Adopted by the Security Council at its 7847th meeting, on 20 December 2016

The Security Council,

Recalling Presidential Statement 2015/25,

Taking note of the Secretary-General's reports S/2016/949, as well as S/2015/203 and S/2016/361,

Recalling its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations,

Recalling the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which includes the first internationally agreed definition of the crime of trafficking in persons and provides a framework to effectively prevent and combat trafficking in persons, and *further recalling* the United Nations Global Plan of Action to Combat Trafficking in Persons,

Recognizing that trafficking in persons in areas affected by armed conflict and post-conflict situations can be for the purpose of various forms of exploitation, including exploitation of the prostitution of others or other forms of sexual exploitation, forced labour, slavery or practices similar to slavery, servitude or the removal of organs; *further recognizing* that trafficking in persons in armed conflict and post-conflict situations can also be associated with sexual violence in conflict and that children in situations of armed conflict and persons displaced by armed conflict, including refugees, can be especially vulnerable to trafficking in persons in armed conflict and to these forms of exploitation,

Reiterating the critical importance of all Member States fully implementing relevant Security Council resolutions, including resolutions 2195 (2014) and 2253 (2015), which express concern that terrorists benefit from transnational organized crime in some regions, including from the trafficking in persons among others, as well as 2242 (2015), which expresses concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups; and *recognizing* the connection between trafficking in persons, sexual violence and terrorism and other transnational organized criminal activities,

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which can prolong and exacerbate conflict and instability or intensify its impact on civilian populations,

Expressing deep concern that acts of sexual and gender-based violence, including when associated to trafficking in persons, are known to be part of the strategic objectives and ideology of certain terrorist groups, used as a tactic of terrorism and an instrument to increase their finances and their power through recruitment and the destruction of communities, as described in the relevant Secretary-General's Reports; that trafficking in persons, in particular women and girls, remains a critical component of the financial flows to certain terrorist groups; and that, when leading to certain forms of exploitation, is being used by these groups as a driver for recruitment,

Recognizing that trafficking in persons entails the violation or abuse of human rights, and *underscoring* that certain acts or offences associated with trafficking in persons in the context of armed conflict may constitute war crimes; *and recalling further* the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes as well as other crimes and the need for States to adopt appropriate measures within their national legal systems for those crimes for which they are required under international law to exercise their responsibility to investigate and prosecute,

Expressing solidarity with victims of trafficking in persons, including victims of trafficking in persons in armed conflict and post-conflict situations and in humanitarian crisis derived from them; *noting in this regard* the importance of assistance and services for the physical, psychological and social recovery, rehabilitation and reintegration; *recognizing* the extreme trauma experienced by the victims of trafficking in persons in the context of armed conflict and sexual violence in conflict, and that humanitarian organizations should consider this vulnerability in humanitarian planning,

Reaffirming that trafficking in persons in the context of armed conflict, especially women and girls, cannot and should not be associated with any religion, nationality, or civilization,

Emphasizing the importance of engaging religious and traditional leaders, paying particular attention to amplifying the voices of women and girls alongside men and boys, with the objective of countering terrorism and violent extremism which can be conducive to terrorism, refuting the justification of trafficking in persons in the context of armed conflict and sexual or other violence in conflict, addressing the stigmatization suffered by survivors and facilitating their return and reintegration in families and communities,

Recalling all its resolutions on children and armed conflict that call for the protection of children affected by armed conflicts; *condemning* all violations and abuses against children in armed conflict and *noting in particular* that the recruitment and use of children in violation of applicable international law by parties to armed conflict can be associated with trafficking in persons; *expressing grave concern* over the high numbers of girls and boys among persons trafficked in armed conflict and their heightened vulnerability to violations and abuses, including girls and boys who are forcibly displaced by armed conflict, particularly when separated from their families or caregivers,

Recalling resolution 2249 (2015), in which the Security Council condemns in the strongest terms the gross, systematic, and widespread abuses of human rights and violations of international humanitarian law by ISIL (also known as Daesh), and resolution 2253 (2015), in which the Security Council condemns in the strongest terms abductions of women and children, including by ISIL, ANF, and associated individuals, groups, undertakings and entities, expresses outrage at their exploitation and abuse, including rape and sexual violence, forced marriage, and enslavement by these entities, and notes that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities,

Noting with concern the criminal misuse of information and communications technologies, particularly the Internet, to facilitate the trafficking of persons, in particular the sale and trade, by certain terrorist groups and emphasizing the importance of countering such use as part of counter-terrorism efforts while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

1. *Condemns* in the strongest terms all instances of trafficking in persons in areas affected by armed conflicts, and stresses that trafficking in persons undermines the rule of law and contributes to other forms of transnational organized crime, which can exacerbate conflict and foster insecurity and instability and undermine development;

2. *Calls upon* Member States:

(a) That have not yet done so, to consider as a matter of priority ratifying or acceding to and to fully implement the United Nations Convention Against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as all relevant international instruments;

(b) To take decisive and immediate action to prevent, criminalize, investigate, prosecute and ensure accountability of those who engage in trafficking in persons, including in the context of armed conflict, in which it is particularly important that evidence of such crimes be collected and preserved so that investigations and prosecutions may occur;

(c) To investigate, disrupt and dismantle networks involved in trafficking in persons in the context of armed conflict, in accordance with national legislation, including anti-money-laundering, anti-corruption and anti-bribery laws and, where appropriate, counter-terrorism laws, *and underscores in this regard* the importance of international law enforcement cooperation, including with respect to investigation, documentation, and prosecution of trafficking cases, *calls in this regard* for the continued support of the United Nations Office on Drugs and Crime (UNODC) and other relevant United Nations entities, and international and regional bodies, including INTERPOL, as appropriate, in providing technical assistance upon request and within their existing mandates, and *encourages* Member States to consider establishing jurisdiction in line with article 15 of the UN Convention against Transnational Organized Crime;

(d) To implement robust victim, and possible victim, identification mechanisms and provide access to protection and assistance for identified victims without delay, also in relation to trafficking in persons in armed conflict, including where such victims are refugees and internally displaced persons (IDPs), and to address comprehensively victims' needs, including the provision of or access to medical, psychosocial assistance and legal aid, as well as ensure that victims are treated as victims of crime and in line with domestic legislation not penalized or stigmatized for their involvement in any unlawful activities in which they have been compelled to engage; calls in this regard for the continued support of UNODC and other relevant United Nations entities, including UNHCR, as well as international and regional bodies, including IOM, in assisting Member States, upon request, with identification of and assistance to trafficking victims;

3. *Encourages* Member States to:

(a) Build strong partnerships with the private sector and civil society, including local women organizations, and to redouble their efforts by encouraging these actors to provide information helping to identify, disrupt, dismantle and bring to justice individuals and networks involved in trafficking in persons in areas affected by armed conflict, including by training relevant officials such as law enforcement personnel, border control officers, labour inspectors, consular or embassy officials, judges and prosecutors and peacekeepers to identify indicators of trafficking in persons in areas affected by armed conflict in supply chains;

(b) Consider that in some circumstances trafficking in persons in armed conflict in all its forms and sexual violence in conflict can cause large movements of refugees and migrants; recalls the Convention Relating to the Status of Refugees and/or its Protocol relating to the Status of Refugees; and furthermore *urges* that all refugee-receiving countries provide information on the services available to victims of trafficking and sexual violence survivors, ensure sustainable psychosocial support and provide survivors with the option to document their cases for future legal action to hold traffickers accountable, and that due consideration is given to clarifying and securing the legal status of undocumented refugee children, including refugee children conceived as a result of sexual violence or exploitation, to avoid situations of possible statelessness;

4. *Encourages* the Financial Action Task Force (FATF) and FATF-Style Regional Bodies (FSRBs) to consider including an analysis of financial flows associated with trafficking in persons that finances terrorism as part of its ongoing work, in close cooperation with CTED, the Analytical Support and Sanctions Monitoring Team and with UNODC;

5. *Calls on* those Member States who have not yet done so to develop the expertise of their Financial Intelligence Units (FIUs) to analyse cases of trafficking in persons that finance terrorism, and encourages them to work together to develop that capacity, and, in this regard, *further encourages* Member States and relevant UN entities and other international and regional organizations to provide other States which may need so, upon their request, with the financial, material and technical assistance that they may require to build the capacity mentioned above;

6. *Calls on* Member States to consider reinforcing legal and regulatory measures to facilitate the sharing of information, both domestically and

internationally, between law enforcement and regulatory actors and the private sector as well as within the private sector, in line with applicable international and national law, to help identify and detect suspicious financial activity related to trafficking in persons that finances terrorism, while also recognizing the need to protect the confidentiality of personal data of victims;

7. *Recalls* its decision, in resolution 1373 (2001) that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, *urges* all States to ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and penalize in a manner duly reflecting the seriousness of the offence of trafficking in persons committed with the purpose of supporting terrorist organizations or individual terrorists, including through the financing of and recruitment for the commission of terrorist acts;

8. *Stresses* that acts of trafficking in persons in armed conflict and sexual and gender-based violence in conflict, including when it is associated to trafficking in persons in armed conflict, can be part of the strategic objectives and ideology of, and used as a tactic by certain terrorist groups, by, inter alia, incentivizing recruitment; supporting financing through the sale, trade and trafficking of women, girls and boys; destroying, punishing, subjugating, or controlling communities; displacing populations from strategically important zones; extracting information for intelligence purposes from male and female detainees; advancing ideology which includes the suppression of women's rights and the use of religious justification to codify and institutionalize sexual slavery and exert control over women's reproduction; and therefore *encourages* all relevant actors at the national, regional and international level to ensure that such considerations are taken into account, in accordance with their obligations under international law and national laws;

9. *Underlines further* that achieving the strategic objectives noted above may entail the use of various forms of sexual violence in conflict, also when associated with trafficking in persons in the context of armed conflict, including, inter alia, rape, sexual slavery, forced prostitution and forced pregnancy, and *notes* that these different forms of sexual violence in conflict may require tailored programmatic responses including specialized medical and psychosocial assistance and analysis as a basis for action;

10. *Affirms* that victims of trafficking in persons in all its forms, and of sexual violence, committed by terrorist groups should be classified as victims of terrorism with the purpose of rendering them eligible for official support, recognition and redress available to victims of terrorism, have access to national relief and reparations programmes, contribute to lifting the sociocultural stigma attached to this category of crime and facilitate rehabilitation and reintegration efforts; *furthermore emphasizes* that survivors should benefit from relief and recovery programmes, including health care, psychosocial care, safe shelter livelihood support and legal aid and that services should include provision for women with children born as a result of wartime rape, as well as men and boys who may have been victims of sexual violence in conflict, including when it is associated with trafficking in persons in armed conflict;

11. *Condemns* all acts of trafficking, particularly the sale or trade in persons undertaken by the "Islamic State of Iraq and the Levant" (ISIL, also known as Da'esh), including of Yazidis and other persons belonging to religious and ethnic minorities, and *condemns* also any such trafficking in persons and violations and other abuses committed by Boko Haram, Al-Shabaab, the Lord's Resistance Army, and other terrorist or armed groups for the purpose of sexual slavery, sexual exploitation, and forced labour, *recognizes* the importance of collecting and preserving evidence relating to such acts in order to ensure that those responsible can be held accountable, and *notes* that such acts may also contribute to the funding and sustainment of such groups or to serve other strategic objectives as outlined in paragraph 5 above;

12. *Expresses its intention* to consider targeted sanctions for individuals and entities involved in trafficking in persons in areas affected by armed conflict and in sexual violence in conflict, and *encourages* information exchange and other appropriate forms of cooperation between relevant United Nations entities, including the Special Representative on Sexual Violence in Conflict and the Special Representative on Children in Armed Conflict, within their respective mandates, regarding initiatives and strategies to curb trafficking in persons in the context of armed conflict;

13. *Expresses* further its intention to integrate the issue of trafficking in persons in the areas affected by armed conflict and sexual violence in conflict into the work of relevant sanctions committees where in accordance with their mandates, and to ensure that sexual violence in conflict expertise, including when it is associated with trafficking in persons in the context of armed conflict consistently informs the work of sanctions committees, and *further expresses* its intention to invite the Special Representatives of the Secretary-General on Sexual Violence in Conflict and on Children and Armed Conflict to brief these sanctions committees, as necessary, in accordance with the Committee's rules of procedure, and to provide relevant information including, if applicable, the names of individuals involved in the trafficking in persons who may meet the committees' designation criteria;

14. *Requests* the Analytical Support and Sanctions Monitoring Team, when consulting with Member States, to include in their discussions the issue of trafficking in persons in the areas of armed conflict and the use of sexual violence in armed conflict as it relates to ISIL (also known as Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and to report to the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) on these discussions as appropriate;

15. *Encourages* Member States to ensure that existing national strategic frameworks and national action plans against trafficking in persons national action plans and other planning frameworks on women and peace and security, developed through broad consultations, including with civil society, and comprehensive and integrated national counter-terrorism strategies are complementary and mutually reinforcing;

16. *Requests* the Counter-Terrorism Committee Executive Directorate (CTED), within its existing mandate, under the policy guidance of the Counter-Terrorism Committee (CTC), and in close cooperation with UNODC and other relevant entities, to include in CTED's country assessments, as appropriate,

information regarding Member States efforts to address the issue of trafficking in persons where it is committed for the purpose of supporting terrorism, including through the financing of or recruitment for the commission of terrorist acts;

17. *Encourages* UNODC and other relevant United Nations entities, including UNHCR and UNICEF, and other international and regional bodies, including INTERPOL and the International Organization for Migration (IOM), to continue supporting upon request, in accordance with their respective mandates and expertise, Member States efforts to develop such capabilities, including through the exchange of information and the strengthening of networks for regional and international cooperation in relation to trafficking in persons in areas affected by armed conflict; and in this regard, *encourages further* the above-mentioned entities and bodies to train their personnel to prevent and respond appropriately to trafficking in persons in areas affected by armed conflict in all its forms and sexual violence in conflict; support the tracking and identification of individuals and groups responsible for the trafficking in persons in the context of armed conflict; share relevant information to ensure accountability; enhance cooperation in documentation, extradition and legal assistance and enhance public awareness to combat trafficking in persons in armed conflict, including when it is associated with sexual violence in conflict and facilitate accountability;

18. *Takes note with appreciation* of the efforts undertaken by the Special Representative on Sexual Violence in Conflict and the Team of Experts on Rule of Law and Sexual Violence in Conflict to strengthen monitoring and analysis of sexual violence in conflict, including when associated with trafficking in persons in armed conflict and post-conflict situations, used as a tactic of war and also as a tactic by certain terrorist groups, as well as in seeking concrete and time-bound commitments and implementation plans by all parties to conflict to prevent and address such crimes in line with resolutions 1960 and 2106, and *encourages* a more systematic approach and the acceleration of such efforts; furthermore requests information, as appropriate, on practical measures undertaken by parties to the conflict pursuant to the above-mentioned commitments and implementation plans;

19. *Further encourages* Member States to provide training to all peacekeeping personnel to be deployed in UN peace operations in conflict and post-conflict zones on responding to trafficking in persons in the context of armed conflict, gender expertise, sexual exploitation and abuse prevention and assessing sexual violence in conflict as a component of predeployment training, and to ensure that this consideration is integrated into the performance and operational readiness standards against which troops are assessed;

20. *Urges* relevant UN agencies operating in humanitarian crises derived from armed conflict and post-conflict situations to ensure, in accordance with their respective mandates, that the risk of trafficking in persons in armed conflict is considered in protection of civilians and humanitarian needs assessments, that they build their technical capacity to assess situations for instances of trafficking in persons in armed conflict and that they work together to identify, prevent and respond effectively to victims of trafficking; and *calls upon* the Inter-Agency Standing Committee to strengthen the humanitarian community's response to addressing trafficking in persons in armed conflict and exploitation during a crisis through existing protection mechanisms and programming;

21. *Invites* the Secretary-General to integrate, when relevant, the issue of trafficking in persons in the context of armed conflict and post-conflict situations in all its forms as a factor in conflict prevention strategies, conflict analysis, integrated missions' assessment and planning, peacebuilding support and humanitarian response; *requests* that relevant mission and thematic reporting to the Security Council includes information relating to trafficking in persons in the context of armed conflict and recommendations to address it; *requests further* that the Secretary-General takes steps to improve the collection of data, monitoring and analysis of trafficking in persons in the context of armed conflict, in order to better identify and prevent its incidence;

22. *Welcomes* further briefings on trafficking in persons in armed conflict, as necessary, by relevant United Nations entities, including the Executive Director of UNODC, and other international and regional bodies such as IOM; and *encourages* further consideration of the perspective and experience of civil society representatives, in particular of survivors of trafficking in persons in armed conflict, in briefings to the Security Council in relevant country-specific considerations and thematic areas, in accordance with established practice and procedure;

23. *Requests* the Secretary-General to follow up the implementation of this resolution and report, within twelve months, on strengthening coordination within the United Nations system, including through the United Nations' Inter-Agency Coordination Group against Trafficking in Persons (ICAT), to prevent and counter trafficking in persons in armed conflict in all its forms, and to protect those affected by armed conflict at risk of being trafficked, especially women and children; and further requests that this report also consider, inter alia, options for: strengthening efforts by existing subsidiary bodies of the Security Council, Security Council-mandated peacekeeping operations and special political missions, in accordance with their respective mandates, as well as by Member States; data on geographical areas, routes or locations where patterns of trafficking in persons in armed conflict are being developed, in coordination with all relevant UN entities; and recommendations for UN agencies to mitigate the risk of contributing to trafficking in persons in armed conflict through procurement and supply chains;

24. *Decides* to remain actively seized of this matter.